

## SIXTY FOURTH LEGISLATURE - REGULAR SESSION

## TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, February 3, 2016

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tate Madison Bell and Jacob Neal Carlson. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Jim Erlandson, Community of Christ, Olympia, Washington.

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

**RESIGNATION OF REPRESENTATIVE GRAHAM HUNT**

February 2, 2016

Governor Jay Inslee  
PO Box 40200  
Olympia, WA 98504

Dear Gov. Inslee,

Please accept this letter as my formal resignation from the House of Representatives, effective immediately. It has been an honor and privilege to serve the constituents of the 2nd Legislative District. My hope is for the appointment process to occur swiftly. It is important that the people of the 2nd District are fully represented during the 2016 session.

Respectfully,

Graham Hunt  
State Representative  
2<sup>nd</sup> Legislative District

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

**SECOND READING**

**HOUSE BILL NO. 2315, by Representatives Kirby, Blake and Stanford**

**Addressing the expiration date of the mortgage lending fraud prosecution account.**

The bill was read the second time.

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

Representatives Stanford and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2315.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2315, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2315, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646, by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Senn, Walsh, Lytton, Santos, Orwall, Wylie, Robinson, Reykdal, Gregerson, Appleton, Jinkins, Farrell, Van De Wege, Carlyle, McBride, Kagi, Goodman, Kilduff, Tarleton, Ortiz-Self, Cody, Riccelli, Clibborn, Ryu, Gregory, Walkinshaw, Springer, Sawyer, Fitzgibbon, Hudgins, Fey, Dunshee, Peterson, Moeller, Bergquist, S. Hunt, Moscoso, Pollet, Takko, Sells, Sullivan, Stanford, Morris, Tharinger and Ormsby)**

**Enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities.**

The bill was read the second time.

Representative Short moved the adoption of amendment (605):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. INTENT. According to census bureau data, forty percent of households in the United States rely on a woman as the leading or sole breadwinner. In addition, women hold a significant percentage of minimum wage jobs. Income disparities limit the ability of women to provide for their families, leading to higher rates of poverty among women and children.

The legislature finds that in order to establish equality among workers, men and women in the same job must be compensated as equals. The legislature finds that gaps in employee wages is a form of gender discrimination. Policies that encourage retaliation or discipline towards workers who discuss or inquire about compensation prevent workers from moving forward.

The legislature intends to update the existing Washington state equal pay act, not modified since 1943, to address income disparities, employer discrimination, and retaliation practices, and to reflect the equal status of all workers in Washington state.

NEW SECTION. Sec. 2. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Compensation" means discretionary and nondiscretionary wages and benefits provided by an employer to an employee as a result of the employment relationship.

(2) "Department," "director," "employee," and "employer" have the same meaning as defined in RCW 49.12.005.

Sec. 3. RCW 49.12.175 and 1943 c 254 s 1 are each amended to read as follows:

EQUAL PAY OPPORTUNITY.

(1) Any employer in this state(, employing both males and females, who shall discriminate in any way in the payment of wages as between sexes or who shall pay any female a less wage, be it time or piece work, or salary, than is being paid to males)) who discriminates in providing compensation based on gender between individuals similarly employed(, or in any employment formerly performed by males, shall be) is guilty of a misdemeanor.

(2)(a) If any ((female)) employee ((shall)) receives less compensation because of being discriminated against on account of ((her sex, and)) gender in violation of this section, ((she shall be)) that employee is entitled to recover in a civil action the full amount of compensation that ((she)) the employee would have received had ((she)) the employee not been discriminated against. An employee is entitled to recover any actual damages, plus statutory damages equal to the amount of actual damages or five thousand dollars, whichever is greater, and costs and

reasonable attorneys' fees. In addition, the court may order injunctive relief. In such action, however, the employer shall be credited with any compensation which has been paid to ((her)) the employee upon account.

(b) A differential in ((wages between employees)) compensation or employment opportunities based in good faith on a bona fide job-related factor or factors ((other than sex shall)), including but not limited to education, training, or experience, that is not based on gender, unless the differential is otherwise permitted by law, does not constitute discrimination within the meaning of ((RCW 49.12.010 through 49.12.180)) this section.

NEW SECTION. Sec. 4. WORKPLACE PRACTICES. (1) An employer may not:

(a) Require nondisclosure by an employee of his or her wages as a condition of employment; or

(b) Require an employee to sign a waiver or other document that prevents the employee from disclosing the amount of the employee's wages.

(2) An employer may not discharge or in any other manner retaliate against an employee for:

(a) Inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee;

(b) Asking the employer to provide a reason for the employee's wages or reasons for a lack of employment advancement available to the employee; or

(c) Aiding or encouraging an employee to exercise their rights under this section.

(3) An employer may prohibit a human resources or other manager from disclosing the wages of other employees unless the disclosure is otherwise required by law.

NEW SECTION. Sec. 5. NO RETALIATION. An employer may not discharge or otherwise discriminate against an employee because the employee has filed any complaint, or instituted or caused to be instituted any proceeding under this chapter, or testified or is about to testify in any such proceeding, or because of the exercise by such employee on behalf of himself or herself or others of any right afforded by this chapter.

NEW SECTION. Sec. 6. CAUSE OF ACTION. An employee may bring a civil action against an employer for violation of section 4 or 5 of this act for actual damages, plus statutory damages equal to the amount of actual damages or five thousand dollars, whichever is greater, and costs and reasonable attorneys' fees. The court may also order reinstatement and injunctive relief.

NEW SECTION. Sec. 7. NOTICE. The department may include notice of the provisions of this chapter in the next reprinting of employment posters.

NEW SECTION. Sec. 8. RULE MAKING. The department may adopt rules to implement sections 1 through 5 of this act.

NEW SECTION. Sec. 9. SHORT TITLE. This chapter shall be known and cited as the "equal pay opportunity act."

NEW SECTION. Sec. 10. CODIFICATION. (1) Sections 1, 2, and 4 through 9 of this act constitute a new chapter in Title 49 RCW.

(2) RCW 49.12.175 is recodified as a section in chapter 49.--- RCW (the new chapter created in this section)."

Representatives Short, Smith and Pike spoke in favor of the adoption of the amendment.

Representatives Sells and Senn spoke against the adoption of the amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (605) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, S., Hurst, Jinkins, Kagi, Kilduff, Kirby, Kuderer, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

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

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

Representatives Short and Van Werven spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1646.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1646, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hickel, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kuderer, Lytton, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1790, by House Committee on Education (originally sponsored by Representatives Springer, Muri, Ortiz-Self and Reykdal)**

**Clarifying the authority of a nurse working in a school setting.**

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1790.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1790, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri,

Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Kretz, McCaslin, Schmick, Scott, Shea, Short, Taylor, Van Werven and Young.

SUBSTITUTE HOUSE BILL NO. 1790, having received the necessary constitutional majority, was declared passed.

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

### THIRD READING

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1248 was returned to second reading for the purpose of amendment.

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

### SECOND READING

**SUBSTITUTE HOUSE BILL NO. 1248, by House Committee on Judiciary (originally sponsored by Representatives Shea, Sawyer, Rodne, Jinkins, Walkinshaw, Fitzgibbon, Kilduff and Pollet)**

#### Concerning court proceedings.

The bill was read the second time.

Representative Shea moved the adoption of amendment (592):

Strike everything after the enacting clause and insert the following:

"**Sec. 11.** RCW 7.06.020 and 2005 c 472 s 2 are each amended to read as follows:

(1) All civil actions, except for appeals from municipal or district courts, which are at issue in the superior court in counties which have authorized arbitration, where the sole relief sought is a money judgment, and where no party asserts a claim in excess of fifteen thousand dollars, or if approved by the superior court of a county by two-thirds or greater vote of the judges thereof, up to (~~five~~) seventy-five thousand dollars, exclusive of interest and costs, are subject to mandatory arbitration.

(2) If approved by majority vote of the superior court judges of a county which has authorized arbitration, all civil actions which are at issue in the superior court in which the sole relief sought is the establishment, termination or modification of maintenance or child support payments are subject to mandatory arbitration. The arbitrability of any such action shall not be affected by the amount or number of payments involved.

NEW SECTION. **Sec. 12.** A new section is added to chapter 7.06 RCW to read as follows:

The arbitrator shall set the time, date, and place of the hearing and shall give reasonable notice of the hearing date to the parties. Except by stipulation or for good cause shown, the hearing shall be scheduled to take place not sooner than twenty-one days, nor later than seventy-five days, from the date of the assignment of the case to the arbitrator. The hearing shall take place in appropriate facilities provided or authorized by the court.

NEW SECTION. **Sec. 13.** A new section is added to chapter 7.06 RCW to read as follows:

After the assignment of a case to the arbitrator, a party may conduct discovery as follows: (1) Demand a specification of damages under RCW 4.28.360; (2) request from the arbitrator an examination under CR 35; (3) request admissions from a party under CR 36; and (4) take the deposition of another party. A party may request additional discovery from the arbitrator, including interrogatories, and the arbitrator will allow additional discovery only as reasonably necessary.

**Sec. 14.** RCW 7.06.040 and 1987 c 212 s 102 are each amended to read as follows:

(1) The appointment of arbitrators shall be prescribed by rules adopted by the supreme court. An arbitrator must be a member of the state bar association who has been admitted to the bar for a minimum of five years or who is a retired judge.

(2) A person may not serve as an arbitrator unless the person has completed a minimum of three credits of Washington state bar association approved continuing legal education credits on the professional and ethical consideration for serving as an arbitrator. Upon being selected and appointed as an arbitrator for a specific case, the appointed arbitrator shall within ten working days file a declaration or affidavit stating or certifying to the appointing court that the appointed arbitrator is in compliance with the continuing legal education requirements of this section.

(3) The parties may stipulate to a nonlawyer arbitrator. The supreme court may prescribe by rule additional qualifications of arbitrators.

(4) Arbitrators shall be compensated in the same amount and manner as judges pro tempore of the superior court.

**Sec. 15.** RCW 7.06.050 and 2011 c 336 s 164 are each amended to read as follows:

(1) Following a hearing as prescribed by court rule, the arbitrator shall file his or her decision and award with the clerk of the superior court, together with proof of service thereof on the parties. Within twenty days after such filing, any aggrieved party may file with the clerk a written notice of appeal and request for a trial de novo in the superior court on all issues of law and fact. The notice must be signed by the party. Such trial de novo shall thereupon be held, including a right to jury, if demanded.

(a) Up to thirty days prior to the actual date of a trial de novo, a nonappealing party may serve upon the appealing party a written offer of compromise.

(b) In any case in which an offer of compromise is not accepted by the appealing party within ten calendar days after service thereof, for purposes of MAR 7.3, the amount of the offer of compromise shall replace the amount of the

arbitrator's award for determining whether the party appealing the arbitrator's award has failed to improve that party's position on the trial de novo.

(c) A postarbitration offer of compromise shall not be filed or communicated to the court or the trier of fact until after judgment on the trial de novo, at which time a copy of the offer of compromise shall be filed for purposes of determining whether the party who appealed the arbitrator's award has failed to improve that party's position on the trial de novo, pursuant to MAR 7.3.

(2) If no appeal has been filed at the expiration of twenty days following filing of the arbitrator's decision and award, a judgment shall be entered and may be presented to the court by any party, on notice, which judgment when entered shall have the same force and effect as judgments in civil actions.

**Sec. 16.** RCW 36.18.016 and 2015 c 275 s 11 and 2015 c 265 s 27 are each reenacted and amended to read as follows:

(1) Revenue collected under this section is not subject to division under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of thirty-six dollars must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of fifty-four dollars. The clerk of the superior court shall transmit monthly forty-eight dollars of the fifty-four dollar fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based domestic violence services within the county, except for five percent of the six dollars, which may be retained by the court for administrative purposes. On or before December 15th of each year, the county shall report to the department of social and health services revenues associated with this section and community-based domestic violence services expenditures. The department of social and health services shall develop a reporting form to be utilized by counties for uniform reporting purposes.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of one hundred twenty-five dollars; if the demand is for a jury of twelve, a fee of two hundred fifty dollars. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional one hundred twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of one hundred twenty-five dollars for a jury of six, or two hundred fifty dollars for a jury of twelve may be imposed as costs under RCW 10.46.190.

(4) For preparing a certified copy of an instrument on file or of record in the clerk's office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar must be charged. For authenticating or exemplifying an

instrument, a fee of two dollars for each additional seal affixed must be charged. For preparing a copy of an instrument on file or of record in the clerk's office without a seal, a fee of fifty cents per page must be charged. When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page must be charged. For copies made on a compact disc, an additional fee of twenty dollars for each compact disc must be charged.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of twenty dollars must be charged.

(7) For filing a supplemental proceeding, a fee of twenty dollars must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of five dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed thirty dollars per hour.

(12) For processing ex parte orders, the clerk may collect a fee of thirty dollars.

(13) For duplicated recordings of court's proceedings there must be a fee of ten dollars for each audiotape and twenty-five dollars for each videotape or other electronic storage medium.

(14) For registration of land titles, Torrens Act, under RCW 65.12.780, a fee of twenty dollars must be charged.

(15) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of two hundred dollars must be charged. When the extension of judgment is at the request of the clerk, the two hundred dollar charge may be imposed as court costs under RCW 10.46.190.

(16) A facilitator surcharge of up to twenty dollars must be charged as authorized under RCW 26.12.240.

(17) For filing an adjudication claim under RCW 90.03.180, a fee of twenty-five dollars must be charged.

(18) For filing a claim of frivolous lien under RCW 60.04.081, a fee of thirty-five dollars must be charged.

(19) For preparation of a change of venue, a fee of twenty dollars must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(20) A service fee of five dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(21) For preparation of clerk's papers under RAP 9.7, a fee of fifty cents per page must be charged.

(22) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(23) Investment service charge and earnings under RCW 36.48.090 must be charged.

(24) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(25) For filing a request for mandatory arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed two hundred ~~((twenty))~~ fifty dollars as established by authority of local ordinance. Two hundred twenty dollars of this charge shall be used ~~((solely))~~ to offset the cost of the mandatory arbitration program. Thirty dollars of each fee collected under this subsection must be used for indigent defense services.

(26) For filing a request for trial de novo of an arbitration award, a fee not to exceed ~~((two))~~ three hundred fifty dollars as established by authority of local ordinance must be charged.

(27) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(28) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of twenty dollars must be charged.

(29) For the collection of an adult offender's unpaid legal financial obligations, the clerk may impose an annual fee of up to one hundred dollars, pursuant to RCW 9.94A.780.

(30) A surcharge of up to twenty dollars may be charged in dissolution and legal separation actions as authorized by RCW 26.12.260.

The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits.

NEW SECTION. Sec. 17. This act applies to all cases filed on or after January 1, 2017, and takes effect January 1, 2017."

Correct the title.

Representatives Shea and Jinkins spoke in favor of the adoption of the amendment.

Amendment (592) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1248.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Harmsworth, Harris, Hawkins, Hickel, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Dent, Griffey, Hargrove, Hayes, Manweller, Muri, Schmick, Stokesbary, Van Werven, Vick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248, having received the necessary constitutional majority, was declared passed.

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

## THIRD READING

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390, by House Committee on Appropriations (originally sponsored by Representatives Goodman, Holy, Jinkins, Kagi, Moscoso, Ormsby and Pollet)**

### Concerning legal financial obligations.

The bill was read the third time.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1390.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1390, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff,

Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390, having received the necessary constitutional majority, was declared passed.

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

**INTRODUCTION & FIRST READING**

HB 2966 by Representative Muri

AN ACT Relating to electrification of transportation infrastructure; amending RCW 35.92.355; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 2967 by Representative Walkinshaw

AN ACT Relating to establishing the Washington investment trust; amending RCW 30A.04.020, 42.56.400, 43.08.135, and 43.84.080; reenacting and amending RCW 42.56.270 and 42.56.400; adding a new section to chapter 39.58 RCW; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Business & Financial Services.

HB 2968 by Representatives Tharinger, DeBolt, Stanford, Smith, Dunshee, Kagi, Farrell, Lytton, Senn, Robinson, Ormsby, Walkinshaw and Hudgins

AN ACT Relating to financing public school facilities necessary to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade; amending RCW 43.79.495; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2969 by Representatives Harris and Cody

AN ACT Relating to vapor product taxation; amending RCW 66.08.145, 66.44.010, 82.24.510, 82.24.550, 82.26.060, 82.26.080, 82.26.150, 82.26.220, and 82.32.300; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Gaming.

HB 2970 by Representatives McCabe and Appleton

AN ACT Relating to voyeurism; amending RCW 9A.44.115, 9.94A.515, and 13.40.070; and prescribing penalties.

Referred to Committee on Public Safety.

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

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

**REPORTS OF STANDING COMMITTEES**

February 1, 2016

HB 2323 Prime Sponsor, Representative Kilduff: Creating the Washington achieving a better life experience program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dent; Fitzgibbon; Haler; Hansen; Harris; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Robinson; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Passed to Committee on Rules for second reading.

January 29, 2016

HB 2408 Prime Sponsor, Representative Jinkins: Mitigating barriers to patient access to care resulting from health insurance contracting practices. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Cody, Chair; Schmick, Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

Passed to Committee on Appropriations.

January 29, 2016

HB 2450 Prime Sponsor, Representative Tharinger: Allowing critical access hospitals participating in the Washington rural health access preservation pilot to resume critical access hospital payment and licensure. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Schmick, Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

Passed to Committee on Appropriations.

January 29, 2016

HB 2518 Prime Sponsor, Representative Sawyer: Promoting the reduction of intergenerational poverty. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Walsh, Ranking Minority Member; Hawkins; Kilduff; Ortiz-Self; Sawyer and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; McCaslin and Scott.

Passed to Committee on Appropriations.

February 1, 2016

HB 2521 Prime Sponsor, Representative Wylie: Allowing for proper disposal of unsellable marijuana by a licensed marijuana retail outlet. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

February 1, 2016

HB 2522 Prime Sponsor, Representative Wylie: Establishing crimes related to minors

entering, remaining in, or being served by a marijuana retail outlet. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

January 29, 2016

HB 2533 Prime Sponsor, Representative Kilduff: Protecting minors from sexual exploitation. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 1, 2016

HB 2667 Prime Sponsor, Representative Farrell: Concerning administrative processes of the state parks and recreation commission that require a majority vote of the commission. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Dye; Pike and Taylor.

Passed to Committee on Capital Budget.

February 1, 2016

HB 2803 Prime Sponsor, Representative Ormsby: Improving compliance with prevailing wage procedures. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 1, 2016



HB 2844 Prime Sponsor, Representative Ormsby:  
Adding training on public works and  
prevailing wage requirements to  
responsible bidder criteria. Reported by  
Committee on Labor & Workplace  
Standards

MAJORITY recommendation: Do pass. Signed by  
Representatives Sells, Chair; Gregerson, Vice Chair;  
Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by  
Representatives Manweller, Ranking Minority Member  
and McCabe.

Passed to Committee on Appropriations.

There being no objection, the bills listed on the day's  
committee reports under the fifth order of business were  
referred to the committees so designated.

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

There being no objection, the Committee on Rules was  
relieved of ENGROSSED SUBSTITUTE HOUSE BILL  
NO. 1553 and the bill was placed on the third reading  
calendar.

There being no objection, the Committee on  
Appropriations was relieved of HOUSE BILL NO. 2793,  
and the bill was referred to the Committee on Finance.

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

There being no objection, the House adjourned until  
10:00 a.m., February 4, 2016, the 25th Day of the Regular  
Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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