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**SIXTY-FIRST LEGISLATURE - REGULAR SESSION**

**FIFTY FOURTH DAY**

House Chamber, Olympia, Friday, March 6, 2009

The House was called to order at 9:30 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 the Navy/Marine Corps Color Guard. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Commander Anthony Berchmanz, Chaplain. The National Anthem was sung by MU3 Sarah Reasuer.

**RESOLUTIONS**

HOUSE RESOLUTION NO. 2009-4630, by Representatives Bailey, Rolfes and Sells

WHEREAS, The 21st century is the Pacific century, and Washington state is uniquely positioned politically, economically, and geographically to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, The Navy is the military service that secures sea lanes, allowing free flow of commerce to and from our state, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, The Navy has explored and defended Northwest waters for more than one hundred fifty years; and

WHEREAS, Washington state naval bases consistently receive awards for the quality of life they provide to sailors and family members, are recognized as models for other military facilities, and are continuously being improved in energy efficiency and environmental responsibility; and

WHEREAS, Washington state-based sailors are serving at sea, on the ground, and in the air, on every ocean and every continent; and

WHEREAS, Puget Sound is the United States Navy's third largest Fleet Concentration area, with two aircraft carriers, five warships, fourteen submarines, and one hundred nineteen aircraft in Washington state; and

WHEREAS, The United States Navy spends 4.3 billion dollars annually in the Northwest and provides economic stability to dozens of Washington cities and tens of thousands of Washington state citizens; and

WHEREAS, Washington state-based Navy units were the first on scene to provide relief services after the 2005 tsunami in southern Asia, the first to fire missiles against Taliban forces in Afghanistan, and continue to set the standard for naval operations around the world; and

WHEREAS, Navy personnel provide homeland security, disaster assistance, and rescue services to Washington state citizens; and

WHEREAS, Over 128,000 members of the Navy family, including active duty, retired, dependent, and civilian Navy

personnel, consider Washington home; are community leaders, role models, and mentors; and invest millions of dollars and thousands of hours to the economy, local charities, and community programs;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and express appreciation for all those who have ever served in the United States Navy, and all the family members and friends who shared their sacrifices with them; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize all the many contributions the Navy and its personnel make for everyone living in the United States and the entire global community, and observe Navy Day which is celebrated on March 6, 2009.

Representative Bailey moved adoption of House Resolution No. 4630.

Representatives Bailey, Seaquist and Dammeier spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4630 was adopted.

HOUSE RESOLUTION NO. 2009-4616, by Representatives Kagi, Kenney, Dickerson, Pedersen, Cody, Santos, Miloscia, Blake, Clibborn, White, Chase and Carlyle

WHEREAS, Childhaven (originally Seattle Day Nursery) was one of the first child care centers in the nation, beginning in 1909, and has cared for children in the state of Washington and is celebrating 100 years; and

WHEREAS, In 1909, Reverend Mark Matthews of First Presbyterian Church, planned for and opened a day nursery to meet the needs of women who had to work because they were widowed or abandoned, or their husbands were unable to work because they were injured at work and existing on the contributions of the citizens who donated goods and volunteered their time; and

WHEREAS, In 1921, Seattle Day Nursery completed a new child care building, the first structure west of the Mississippi to be constructed specifically as a child care facility, and was also selected to be a charter member of the newly formed Community Chest (later called United Way of King County); and

WHEREAS, During World War I and World War II, when industry needed women to employ, Seattle Day Nursery served as a support system for those who worked in the shipyards, for The Boeing Company, in defense plants, and for other vital businesses in this state – setting the standard for good child care, which was becoming an industry in its own right; and

WHEREAS, In 1973, Executive Director Patrick L. Gogerty, who had an extensive background working with juvenile delinquents and realized the link between early abuse and neglect - and later criminal behavior, worked with Child Protective Services to develop

the Therapeutic Child Care Program model and meet an unmet need of support for the youngest and most vulnerable victims of abuse and neglect, children age one month through five years; and

WHEREAS, The Washington state legislature has passed legislation providing state funds for Seattle Day Nursery to conduct empirical research on the effectiveness of using the Therapeutic Child Care Program model to provide early intervention and treatment to abused or neglected children under the age of twenty-four months, which, based on the results, led Seattle Day Nursery to transition all of its locations to Therapeutic Child Care and receive referrals from Child Protective Services for the children it cared for; and

WHEREAS, Seattle Day Nursery changed its name to Childhaven in 1985 to adequately reflect the mission of the agency and the expansion of services to other areas in King county; and

WHEREAS, In 1989, Childhaven developed the first, and still only, crisis nursery program in King county, focusing on preventing possible abuse and neglect by offering parents a safe place for their children during times of stress and crisis – and in 1990 established the Drug-Affected Infant Program, the first of its kind in Washington state, to treat children from birth through five years of age whose parents are enrolled in chemical dependency treatment programs; and

WHEREAS, In 2009, Childhaven celebrates 100 years of services to children in King county;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the state of Washington officially recognize the invaluable work that Childhaven provides to the youngest and most vulnerable citizens of this state: Infants, toddlers, and preschoolers.

Representative Kagi moved adoption of House Resolution No. 4616.

Representatives Kagi and Walsh spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4616 was adopted.

#### MESSAGE FROM THE SENATE

March 5, 2009

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5225,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5595,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5800,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

#### INTRODUCTION AND FIRST READING

SSB 5007 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators McAuliffe, King, Oemig, Holmquist, McDermott, Kauffman, Pridemore, Kilmer, Hobbs, Tom, Brandland, Swecker, Shin, Franklin, Parlette and Roach)

AN ACT Relating to allowing public technical colleges to offer associate degrees that prepare students for transfer to selected bachelor's degrees in professional areas; amending RCW 28B.50.020, 28B.50.030, 28B.50.090, and 28B.50.140; and creating a new section.

Referred to Committee on Higher Education.

ESSB 5011 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kauffman, Kohl-Welles, Kline and Keiser)

AN ACT Relating to fire safety standards for novelty lighters; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SSB 5026 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala and Brandland)

AN ACT Relating to the collection of biological samples for DNA identification analysis from individuals whose convictions are the result of a plea agreement; and amending RCW 43.43.754.

Referred to Committee on Public Safety & Emergency Preparedness.

SB 5031 by Senators Fairley, Hobbs, Swecker, Shin, Sheldon, Berkey, Haugen, Hatfield and McAuliffe

AN ACT Relating to rental or lease of armories; and amending RCW 38.20.010.

Referred to Committee on State Government & Tribal Affairs.

2SSB 5045 by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Zarelli, Brown, Kauffman, Shin, Marr, King, Regala, Rockefeller, Haugen, Berkey, Eide, Kastama, Jarrett, Pridemore, McAuliffe and Ranker)

AN ACT Relating to community revitalization financing; adding a new section to chapter 82.32 RCW; adding new sections to chapter 82.14 RCW; and adding a new chapter to Title 39 RCW.

Referred to Committee on Community & Economic Development & Trade.

SB 5211 by Senators Sheldon, Roach, Fairley, McDermott, Parlette, Haugen, Shin and Benton

AN ACT Relating to false and defamatory statements about candidates for public office; amending RCW 42.17.530; and creating a new section.

Referred to Committee on State Government & Tribal Affairs.

SSB 5212 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kilmer, Kline, McCaslin, Hewitt, Haugen, Shin and Becker)

AN ACT Relating to the modification of parenting plans based on the military service of a parent; and amending RCW 26.09.004, 26.09.010, and 26.09.260.

Referred to Committee on Judiciary.

ESSB 5263 by Senate Committee on Judiciary (originally sponsored by Senators Hargrove, Brandland and Tom)

AN ACT Relating to prohibiting devices in schools that are designed to administer to a person or an animal an electric shock, charge, or impulse; amending RCW 9.41.280; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5297 by Senators Kline and Delvin

AN ACT Relating to the procedure for filing a declaration of completion of probate; and amending RCW 11.68.110.

Referred to Committee on Judiciary.

SB 5315 by Senators Schoesler, Hobbs, Holmquist, Honeyford and Fraser

AN ACT Relating to extending the survivor annuity option for preretirement death in plan 1 of the public employees' retirement system to members who die after leaving active service; and amending RCW 41.40.270.

Referred to Committee on Ways & Means.

SB 5320 by Senators Murray, Kohl-Welles and Shin

AN ACT Relating to modifying the name of and titles within the acupuncture profession; amending RCW 18.06.010, 18.06.020, 18.06.045, 18.06.050, 18.06.080, 18.06.120, 18.06.130, 18.06.140, 18.06.190, 4.24.240, 4.24.290, 7.70.020, 18.120.020, 18.130.040, and 43.70.110; adding a new section to chapter 18.06 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

SSB 5346 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Franklin, Marr, Parlette, Murray and Kohl-Welles)

AN ACT Relating to establishing streamlined and uniform administrative procedures for payors and providers of health care services; amending RCW 70.47.130; adding a new section to chapter 70.14 RCW; adding a new section to chapter 18.122 RCW; adding a new chapter to Title 48 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5369 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Becker, Fairley, Keiser, Marr, Murray, Kohl-Welles and Parlette)

AN ACT Relating to adding and deleting counseling professions subject to the authority of the secretary of health under the uniform disciplinary act; amending RCW 18.130.040 and 18.130.040; providing effective dates; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

ESSB 5414 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, King, Oemig and McDermott)

AN ACT Relating to statewide assessments and curricula; amending RCW 28A.655.061 and 28A.655.066; reenacting and amending RCW 28A.305.215; adding a new section to chapter 28A.300 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Education.

SSB 5451 by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Oemig, Ranker, Rockefeller, Honeyford and Fraser)

AN ACT Relating to changing the date for setting the amount of pipeline safety fees; and amending RCW 80.24.060 and 81.24.090.

Referred to Committee on Technology, Energy & Communications.

SSB 5510 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Swecker and Shin)

AN ACT Relating to notification in dependency matters; and reenacting and amending RCW 13.34.062.

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

SB 5511 by Senators Prentice, Hobbs, Oemig and Shin

AN ACT Relating to making changes affecting city-county assistance account distributions in response to the recommendations of the joint legislative audit and review committee; amending RCW 43.08.290; and creating a new section.

Referred to Committee on Finance.

SB 5548 by Senators Haugen, Jarrett, Fraser and Shin

AN ACT Relating to requiring project improvements, including public transportation infrastructure improvements, to be credited against the imposition of impact fees; and amending RCW 82.02.060.

Referred to Committee on Local Government & Housing.

SSB 5574 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by

Senators Kauffman, Kline, Tom, Hargrove, Oemig, Regala, Fairley, McAuliffe, McDermott, Fraser, Shin, Keiser and Kohl-Welles)

AN ACT Relating to protecting consumer data in motor vehicles; amending RCW 46.63.020; adding a new section to chapter 48.30 RCW; adding a new chapter to Title 46 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SSB 5613 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Keiser, Franklin, Kline, McDermott, Tom and Fraser)

AN ACT Relating to authorizing the department of labor and industries to issue stop work orders for violations of certain workers' compensation provisions; and adding a new section to chapter 51.48 RCW.

Referred to Committee on Commerce & Labor.

ESSB 5768 by Senate Committee on Transportation (originally sponsored by Senators Murray, Jarrett, Swecker, Haugen and Kohl-Welles)

AN ACT Relating to identifying the final design for the state route number 99 Alaskan Way viaduct replacement project as a deep bore tunnel; adding a new section to chapter 47.01 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

SB 5832 by Senators Kohl-Welles, Stevens and Marr

AN ACT Relating to allowing the prosecution of sex offenses against minor victims until the victim's twenty-eighth birthday if the offense is listed in RCW 9A.04.080(1) (b)(iii)(A) or (c); and amending RCW 9A.04.080.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 5881 by Senate Committee on Human Services & Corrections (originally sponsored by Senators McAuliffe, Hargrove, Regala, Jarrett and King)

AN ACT Relating to truancy; and amending RCW 28A.225.020, 28A.225.025, 28A.225.035, and 28A.225.090.

Referred to Committee on Education.

ESSB 5901 by Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senator Kastama)

AN ACT Relating to modifying provisions of the local infrastructure financing tool program; amending RCW 39.102.020, 39.102.070, 39.102.110, 39.102.120, 39.102.140, 39.102.150, 39.102.195, and 82.14.475; and providing an expiration date.

Referred to Committee on Community & Economic Development & Trade.

SB 5909 by Senators Murray, Kohl-Welles and Zarelli

AN ACT Relating to clarifying the application of the high technology retail sales and use tax deferral provided by chapter 82.63 RCW; amending RCW 82.63.010, 82.63.020, and 82.63.045; adding new sections to chapter 82.63 RCW; and creating new sections.

Referred to Committee on Finance.

SB 5974 by Senators Morton, Hatfield, Swecker, Marr and Shin

AN ACT Relating to transporting or accepting delivery of live nonambulatory livestock; amending RCW 16.36.116; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

SSB 6036 by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Ranker and Shin)

AN ACT Relating to water cleanup planning and implementation; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Agriculture & Natural Resources.

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.

#### MESSAGE FROM THE SENATE

March 6, 2009

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5228,  
SENATE BILL NO. 5284,  
SUBSTITUTE SENATE BILL NO. 5286,  
SENATE BILL NO. 5322,  
SUBSTITUTE SENATE BILL NO. 5401,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5403,  
SENATE BILL NO. 5413,  
SUBSTITUTE SENATE BILL NO. 5417,  
SUBSTITUTE SENATE BILL NO. 5531,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5671,  
SUBSTITUTE SENATE BILL NO. 5834,  
SUBSTITUTE SENATE BILL NO. 5893,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5978,  
and the same are herewith transmitted.

Thomas Hoemann, Secretary

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

#### SECOND READING

**HOUSE BILL NO. 1038, by Representatives Orcutt, Blake, Kretz, Van De Wege, Warnick, McCune, Pearson, Kristiansen and Kessler**

**Regarding specialized forest products.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1038 was substituted for House Bill No. 1038 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1038 was read the second time.

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

Representatives Orcutt, Blake and Hurst 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. 1038.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1038 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1038, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1418, by Representatives Kagi, Priest, Sullivan, Walsh, Pettigrew, Roberts, Dickerson, Quall, Seaquist, Sells, Appleton, Hunt, Haler, Pedersen, Orwall, Ormsby, Hasegawa, Conway, Kenney, Maxwell, Santos, Probst, Driscoll, Goodman and Nelson**

**Establishing a statewide dropout reengagement system.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1418 was substituted for House Bill No. 1418 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1418 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 Kagi, Priest, Hunter and Anderson spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

**MOTIONS**

On motion of Representative Santos, Representative Flannigan was excused. On motion of Representative Hinkle, Representative Walsh was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1418.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1418 and the bill passed the House by the following vote: Yeas, 82; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Representatives Anderson, Angel, Appleton, Armstrong, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Cox, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Bailey, Chandler, Condotta, Crouse, Hinkle, Klippert, Kretz, Kristiansen, Pearson, Shea, Short and Warnick.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1418, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1429, by Representatives O'Brien, Bailey, Sells, Hinkle, Cody, Kessler, Hudgins, Ericks, Moeller, Morrell and Ormsby**

**Concerning respite care.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1429 was substituted for House Bill No. 1429 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1429 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.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1429.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1429 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SECOND SUBSTITUTE HOUSE BILL NO. 1429, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1463, by Representatives Seaquist, Angel and Finn**

##### **Addressing the deferral of sales and use taxes due on the state route number 16 corridor improvements project.**

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 Seaquist, Angel and Ericksen 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. 1463.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1463 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy,

McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

HOUSE BILL NO. 1463, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1830, by Representative Santos**

##### **Establishing business definitions for public contracting.**

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 Santos and Smith 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. 1830.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1830 and the bill passed the House by the following vote: Yeas, 83; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Conway, Cox, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Armstrong, Condotta, Crouse, Haler, Hinkle, Klippert, Kretz, Kristiansen, Pearson, Shea, Short and Warnick.

Excused: Representative Walsh.

HOUSE BILL NO. 1830, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1838, by Representatives Orcutt and Blake**

##### **Creating a raffle-only limited recreational rainbow trout fishery in Spirit Lake.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1838 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1838 was read the second time.

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

Representatives Orcutt and Blake 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. 1838.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1838 and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Jacks.  
Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1838, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 1845, by Representatives Rodne and Pedersen

##### Concerning medical support obligations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1845 was substituted for House Bill No. 1845 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1845 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 Rodne and Pedersen 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. 1845.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1845 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1845, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 1878, by Representatives Jacks, Driscoll, Maxwell, Wallace, Quall, Green, Darneille, Moeller and Kenney

##### Authorizing the transfer of accumulated leave of employees of the state school for the blind and the school for the deaf.

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 Jacks and Dammeier 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. 1878.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1878 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

HOUSE BILL NO. 1878, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1912, by Representatives Armstrong, Hunt and Moeller**

**Concerning facilities to house sexually violent predators.**

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 Dunshee and Armstrong 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. 1912.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1912 and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Appleton, Campbell, Dammeier, Darneille, Flannigan, Green and Kelley.

Excused: Representative Walsh.

HOUSE BILL NO. 1912, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1926, by Representatives Cody, Ericksen, Appleton, Pettigrew, Kenney, Moeller and Ormsby**

**Exempting certain hospice agencies from certificate of need requirements.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1926 was substituted for House Bill No. 1926 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1926 was read the second time.

Representative Hinkle moved the adoption of amendment (121):

On page 7, line 8, after "by a" strike "nonprofit"  
On page 7, at the beginning of line 26, strike "nonprofit"

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

Amendment (121) 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.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1926.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1926 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1926, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1951, by Representatives Finn, Short, Takko, Walsh, Blake, Johnson, McCune, Pearson, Williams and Van De Wege**

**Regarding the operation and management of salmonid hatcheries.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1951 was substituted for House Bill No. 1951 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1951 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 Finn and Short 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 Second Substitute House Bill No. 1951.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1951 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SECOND SUBSTITUTE HOUSE BILL NO. 1951, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1952, by Representatives Kenney, Ormsby, Blake, Flannigan, Maxwell, Pettigrew, Springer, Hudgins, Liias, Morrell, White, Conway, Hasegawa, Chase, Sullivan, Dickerson, Wood and Santos**

**Regarding the building communities fund program competitive process.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1952 was substituted for House Bill No. 1952 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1952 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 Kenney and Smith 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. 1952.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1952 and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody,

Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Angel, Chandler and Shea.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1952, having received the necessary constitutional majority, was declared passed.

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

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

**REPORTS OF STANDING COMMITTEES**

March 6, 2009

HB 2279 Prime Sponsor, Representative Hurst: Addressing the offense of assault of a child in the first degree by requiring the review of the sentencing of offenders and modifying the conditions of release. Reported by Committee on Public Safety & Emergency Preparedness

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; O'Brien, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton; Goodman; Kirby and Ross.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was placed on the second reading calendar.

**MESSAGE FROM THE SENATE**

March 6, 2009

Mr. Speaker:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5032,
- SUBSTITUTE SENATE BILL NO. 5285,
- SENATE BILL NO. 5374,
- SENATE BILL NO. 5426,
- SUBSTITUTE SENATE BILL NO. 5461,
- SUBSTITUTE SENATE BILL NO. 5468,
- SENATE BILL NO. 5547,
- SUBSTITUTE SENATE BILL NO. 5556,
- SENATE BILL NO. 5580,
- SENATE BILL NO. 5587,
- SUBSTITUTE SENATE BILL NO. 5665,
- SENATE BILL NO. 5699,
- SUBSTITUTE SENATE BILL NO. 5738,
- SUBSTITUTE SENATE BILL NO. 5793,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5808,
- SUBSTITUTE SENATE BILL NO. 5882,
- SUBSTITUTE SENATE BILL NO. 5891,
- SENATE BILL NO. 5903,

SENATE BILL NO. 5980,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6032,  
ENGROSSED SENATE BILL NO. 6033,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

## SECOND READING

**HOUSE BILL NO. 1460, by Representatives Morrell, Anderson, Bailey and Cody**

**Regarding critical access hospitals not subject to certificate of need review.**

The bill was read the second time.

Representative Morrell moved the adoption of amendment (148):

On page 3, line 18, after "limits" insert ". No more than one-half of the additional beds designated for swing bed services under this subsection (iii) may be so designated before July 1, 2009, with the balance designated no sooner than July 1, 2010"

Representatives Morrell and Anderson spoke in favor of the adoption of the amendment.

Amendment (148) 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.

## COLLOQUY

Representative Anderson: "As the prime sponsor of this bill, is it your understanding that neither the intent nor the effect of this bill will allow expansion of swing bed capacity in any critical access hospital that has a nursing home within the same city limits?"

Representative Morrell: "Yes. This bill will not grant any additional swing bed capacity to a critical access hospital that has a nursing home within the same city limits."

Representatives Morrell, Anderson and Ericksen spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1460.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1460 and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter,

Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Wood and Mr. Speaker.

Voting nay: Representatives Armstrong, Lias, Simpson and Williams.

Excused: Representative Walsh.

ENGROSSED HOUSE BILL NO. 1460, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1769, by Representatives Orwall, White, Dammeier, Clibborn, Nelson, Lias, Carlyle, Eddy, Upthegrove, Green, Chase, Seaquist, Miloscia, Kagi, Roberts, Kenney and Morrell**

**Concerning housing assistance in dependency matters.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1769 was substituted for House Bill No. 1769 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1769 was read the second time.

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

Representative Orwall spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1769.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1769 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh

SUBSTITUTE HOUSE BILL NO. 1769, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1899, by Representatives Warnick and Hinkle**

**Concerning physicians holding a retired active license.**

The bill was read the second time.

There being no objection, Second House Bill No. 1899 was substituted for House Bill No. 1899 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1899 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 Warnick, Green and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1899.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1899 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SECOND SUBSTITUTE HOUSE BILL NO. 1899, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1957, by Representatives Jacks, Warnick and Van De Wege**

**Identifying qualified applicants and procedures within the Washington wildlife and recreation program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1957 was substituted for House Bill No. 1957 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1957 was read the second time.

Representative Kretz moved the adoption of amendment (155):

On page 1, beginning on line 6, strike all of sections 1 and 2.

Renumber the sections consecutively and correct any internal references accordingly.

Correct the title.

On page 6, line 24, after "RCW" strike "nonprofit nature conservancy organizations or associations,"

On page 7, line 17, after "agency" strike "or nonprofit nature conservancy organization or association"

On page 7, line 21, after "agency's" strike "or nonprofit nature conservancy organization's or association's"

On page 9, line 14, after "county" strike "nonprofit nature conservancy organization or association"

On page 9, line 16, after "county" strike "nonprofit nature conservancy organization or association"

On page 9, line 23, after "county" strike "nonprofit nature conservancy organization or association"

On page 9, line 31, after "counties" strike "nonprofit nature conservancy organizations or associations"

On page 10, line 2, after "city" strike "nonprofit nature conservancy organization or association"

On page 10, line 9, after "county" strike "nonprofit nature conservancy organization or association"

On page 10, line 18, after "agency's" strike "or nonprofit nature conservancy organization's or association's"

On page 10, line 22, after "agency's" strike "or nonprofit nature conservancy organization's or association's"

Representatives Kretz, Pearson, Hinkle, and Ericksen spoke in favor of the adoption of the amendment.

Representatives Jacks and Dunshee spoke against the adoption of the amendment.

Amendment (155) was not adopted.

Representative Kretz moved the adoption of amendment (176):

On page 2, line 6, after "(7)" strike "Nonprofit nature conservancy corporation or association" means an organization as defined in RCW 84.34.250.

(8)"

On page 2, beginning on line 20, after "(10)" strike everything through "wildlife." on line 22 and insert "(~~"State agencies" means the state parks and recreation commission, the department of natural resources, the department of general administration, and the department of fish and wildlife.~~)" "State agency" means the state parks and recreation commission."

On page 3, line 21, after "agencies" strike "or nonprofit nature conservancy organizations or associations"

On page 4, after line 14, insert the following:

"Sec. 3. RCW 79A.15.040 and 2008 c 299 s 29 are each amended to read as follows:

(1) Moneys appropriated for this chapter to the habitat conservation account shall be distributed in the following way:

(a) Not less than forty percent through June 30, 2011, at which time the amount shall become forty-five percent, for the acquisition and development of critical habitat;

(b) Not less than thirty percent for the acquisition and development of natural areas;

(c) Not less than twenty percent for the acquisition and development of urban wildlife habitat; and

(d) Not less than ten percent through June 30, 2011, at which time the amount shall become five percent, shall be used by the board to fund restoration and enhancement projects on state park lands. Only the ~~((department of natural resources and the department of fish and wildlife-))~~ state parks and recreation commission may apply for these funds to be used on existing ~~((habitat and natural area))~~ state park lands.

(2)(a) In distributing these funds, the board retains discretion to meet the most pressing needs for critical habitat, natural areas, and urban wildlife habitat, and is not required to meet the percentages described in subsection (1) of this section in any one biennium.

(b) If not enough project applications are submitted in a category within the habitat conservation account to meet the percentages described in subsection (1) of this section in any biennium, the board retains discretion to distribute any remaining funds to the other categories within the account.

(3) Only the state ((agencies)) parks and recreation commission may apply for acquisition and development funds for natural areas projects under subsection (1)(b) of this section.

(4) ~~((State and local agencies))~~ The state parks and recreation commission may apply for acquisition and development funds for critical habitat and urban wildlife habitat projects under subsection (1)(a) and (c) of this section.

~~(5) ((a) Any lands that have been acquired with grants under this section by the department of fish and wildlife are subject to an amount in lieu of real property taxes and an additional amount for control of noxious weeds as determined by RCW 77.12.203.~~

~~—(b) Any lands that have been acquired with grants under this section by the department of natural resources are subject to payments in the amounts required under the provisions of RCW 79.70.130 and 79.71.130.~~

~~—(6))~~ Except as otherwise conditioned by RCW 79A.15.140 or 79A.15.150, the board in its evaluating process shall consider the following in determining distribution priority:

(a) Whether the entity applying for funding is a Puget Sound partner, as defined in RCW 90.71.010;

(b) Effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030; and

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

~~((7))~~ (6) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

**Sec. 4.** RCW 79A.15.050 and 2007 c 241 s 30 are each amended to read as follows:

(1) Moneys appropriated for this chapter to the outdoor recreation account shall be distributed in the following way:

(a) Not less than thirty percent to the state parks and recreation commission for the acquisition and development of state parks, with at least fifty percent of the money for acquisition costs;

(b) Not less than thirty percent for the acquisition, development, and renovation of local parks, with at least fifty percent of this money for acquisition costs;

(c) Not less than twenty percent for the acquisition, renovation, or development of trails;

(d) Not less than fifteen percent for the acquisition, renovation, or development of water access sites, with at least seventy-five percent of this money for acquisition costs; and

(e) Not less than five percent for development and renovation projects on state recreation lands. ~~((Only the department of natural resources and the department of fish and wildlife may apply for these funds to be used on their existing recreation lands.))~~

(2)(a) In distributing these funds, the board retains discretion to meet the most pressing needs for state and local parks, trails, and water access sites, and is not required to meet the percentages described in subsection (1) of this section in any one biennium.

(b) If not enough project applications are submitted in a category within the outdoor recreation account to meet the percentages described in subsection (1) of this section in any biennium, the board retains discretion to distribute any remaining funds to the other categories within the account.

(3) Only local agencies may apply for acquisition, development, or renovation funds for local parks under subsection (1)(b) of this section.

(4) Only state and local agencies may apply for funds for trails under subsection (1)(c) of this section.

(5) Only state and local agencies may apply for funds for water access sites under subsection (1)(d) of this section."

Renumber the sections consecutively and correct any internal references accordingly.

On page 6, after line 10, insert the following:

**"Sec. 4.** RCW 79A.15.100 and 2007 c 241 s 35 are each amended to read as follows:

On or before November 1st of each odd-numbered year, the board shall submit to the governor and the standing committees of the legislature dealing with fiscal affairs ~~((fish and wildlife, and natural resources))~~ and parks and recreation a report detailing the acquisitions and development projects funded under this chapter during the immediately preceding biennium."

Renumber the sections consecutively and correct any internal references accordingly.

On page 6, line 24, after "RCW" strike "nonprofit nature conservancy organizations or associations."

On page 6, beginning on line 27, after "section." strike everything through "for funds under this section." on line 30 and insert "~~((Other state agencies not defined in RCW 79A.15.010, such as the department of transportation and the department of corrections, may enter into interagency agreements with state agencies to apply in partnership for funds under this section.))~~"

On page 7, line 17, after "agency" strike "or nonprofit nature conservancy organization or association"

On page 7, line 21, after "agency's" strike "or nonprofit nature conservancy organization's or association's"

On page 7, line 23, after "(8)" strike "State agencies" and insert "~~((State agencies))~~ A state agency"

On page 9, line 14, after "county" strike "nonprofit nature conservancy organization or association"

On page 9, line 16, after "county" strike "nonprofit nature conservancy organization or association"

On page 9, line 23, after "county" strike "nonprofit nature conservancy organization or association"

On page 9, line 31, after "counties" strike "nonprofit nature conservancy organizations or associations"

On page 10, line 2, after "city" strike "nonprofit nature conservancy organization or association"

On page 10, line 9, after "county" strike "nonprofit nature conservancy organization or association"

On page 10, line 18, after "agency's" strike "or nonprofit nature conservancy organization's or association's"

On page 10, line 22, after "agency's" strike "or nonprofit nature conservancy organization's or association's"

Correct the title.

Representatives Kretz, Hinkle, Angel, Ross and Pearson spoke in favor of the adoption of the amendment

Representative Dunshee spoke against the adoption of the amendment.

Amendment (176) was not adopted.

Representative Short moved the adoption of amendment (162):

On page 2, line 36, after "the" strike "habitat conservation" and insert "~~((habitat conservation))~~ farmlands preservation"

On page 3, line 3, after "the" strike "habitat conservation" and insert "~~((habitat conservation))~~ farmlands preservation"

On page 3, at the beginning of line 6, after "Ten percent to the" strike "habitat conservation" and insert "~~((habitat conservation))~~ farmlands preservation"

On page 3, line 8, after "to the" strike "farmlands preservation" and insert "~~((farmlands preservation))~~ habitat conservation"

On page 3, line 10, after "to the" strike "habitat conservation" and insert "~~((habitat conservation))~~ farmlands preservation"

On page 3, line 13, after "to the" strike "farmlands preservation" and insert "~~((farmlands preservation))~~ habitat conservation"

Representatives Short and Erickson spoke in favor of the adoption of the amendment.

Representative Dunshee spoke against the adoption of the amendment.

Amendment (162) was not adopted.

Representative Shea moved the adoption of amendment (158):

On page 4, after line 14, insert "(9) Any proposal submitted by a nonprofit nature conservancy organization or association must first receive formal approval from the local city or county in which the project is located."

Representatives Shea, Erickson and DeBolt spoke in favor of the adoption of the amendment.

Representative Dunshee spoke against the adoption of the amendment.

Amendment (158) was not adopted.

Representative Kretz moved the adoption of amendment (167):

On page 4, after line 14, insert "(9) Any project sponsor receiving funding from the recreation and conservation funding board under this chapter that is not subject to disclosure under chapter 42.56 RCW must, as a mandatory contractual prerequisite to receiving the funding, agree to disclose any information in regard to

the expenditure of that funding as if the project sponsor were subject to the requirements of chapter 42.56 RCW."

Representatives Kretz, Hinkle and Pearson spoke in favor of the adoption of the amendment.

Representative Dunshee spoke against the adoption of the amendment.

Amendment (167) was not adopted.

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

Representative Jacks spoke in favor of the passage of the bill.

Representatives Kretz and Hinkle spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1957.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1957 and the bill passed the House by the following vote: Yeas, 64; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Eddy, Erickson, Grant-Herriot, Haler, Hinkle, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short and Smith.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1957, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1959, by Representatives Simpson, Rodne, Williams and Armstrong**

**Concerning land use and transportation planning for marine container ports.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1959 was substituted for House Bill No. 1959 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1959 was read the second time.

Representative Simpson moved the adoption of amendment (116):

On page 2, line 35, after "between the" strike "marine industrial port element" and insert "port elements"

On page 3, line 21, after "improvements" strike "to the marine container ports"

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

Amendment (116) was adopted. The bill was ordered engrossed.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1959.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1959 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1959, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1972, by Representatives Dunshee, Blake and Williams**

**Regarding access to information for outdoor recreation and wildlife viewing opportunities.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1972 was substituted for House Bill No. 1972 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1972 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 Dunshee and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1972.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1972 and the bill passed the House by the following vote: Yeas, 65; Nays, 30; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Ross, Schmick, Shea, Short and Warnick.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1972, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2071, by Representatives Green, Kagi, Miloscia, Pettigrew, Nelson, Haler, Priest, Goodman, Conway, Ormsby, Santos and Kenney**

**Concerning education for parents of needy families.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2071 was substituted for House Bill No. 2071 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2071 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 Green and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2071.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2071 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh

SUBSTITUTE HOUSE BILL NO. 2071, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 2157, by Representative Springer**

##### **Consolidating certain salmon recovery activities and programs within the recreation and conservation office.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2157 was substituted for House Bill No. 2157 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2157 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 Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2157.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2157 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos,

Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh

SUBSTITUTE HOUSE BILL NO. 2157, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 2160, by Representatives Driscoll, Hinkle, Cody, Bailey, Kelley, Wood and Morrell**

##### **Concerning health carrier payment of wellness incentives.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2160 was substituted for House Bill No. 2160 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2160 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 Driscoll and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2160.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2160 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh

SUBSTITUTE HOUSE BILL NO. 2160, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 2165, by Representatives Van De Wege, Haler, Blake, Kretz, McCoy, Hinkle, Ormsby, Nelson, Eddy, Hasegawa, Takko, Chase, Kenney, Warnick and Morrell**

##### **Authorizing the department of natural resources to conduct a forest biomass energy demonstration project.**

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 Van De Wege, Haler and Kretz spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2165.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2165 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh

HOUSE BILL NO. 2165, having received the necessary constitutional majority, was declared passed.

### **HOUSE BILL NO. 2196, by Representatives Ericks and Ormsby**

**Including service credit transferred from the law enforcement officers' and firefighters' retirement system plan 1 in the determination of eligibility for military service credit.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2196 was substituted for House Bill No. 2196 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2196 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 Ericks and Dammeier spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2196.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2196 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh

SUBSTITUTE HOUSE BILL NO. 2196, having received the necessary constitutional majority, was declared passed.

### **HOUSE BILL NO. 1935, by Representatives Morrell, Walsh, Cody, Orwall, Kenney, Bailey, Miloscia, Green, Kelley and Williams**

#### **Concerning adult family homes.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1935 was substituted for House Bill No. 1935 and the second substitute bill was placed on the second reading calendar.

There being no objection, the House deferred action on SECOND SUBSTITUTE HOUSE BILL NO. 1935 and the bill held its place on the second reading calendar.

### **HOUSE BILL NO. 2128, by Representatives Seaquist and Simpson**

#### **Concerning health care coverage for children.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2128 was substituted for House Bill No. 2128 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2128 was read the second time.

With the consent of the House, amendments (100), (104), (105), (106), (107), (108), (133), (134), (101), (113), (141) and (142) were withdrawn.

Representative Seaquist moved the adoption of amendment (157):



Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that substantial progress has been made toward achieving the equally important goals set in 2007 that all children in Washington state have health care coverage by 2010 and that child health outcomes improve. The legislature also finds that continued steps are necessary to reach the goals that all children in Washington state shall have access to the health services they need to be healthy and ready to learn and that key measures of child health outcomes will show year by year improvement. The legislature further finds that reaching these goals is integral to the state's ability to weather the current economic crisis. The recent reauthorization of the federal children's health insurance program provides additional opportunities for the state to reach these goals. In view of these important objectives, the legislature intends that the apple health for kids program be managed actively across administrations in the department of social and health services, and across state and local agencies, with clear accountability for achieving the intended program outcomes.

**Sec. 2.** RCW 74.09.470 and 2007 c 5 s 2 are each amended to read as follows:

(1) Consistent with the goals established in RCW 74.09.402, through the apple health for kids program authorized in this section, the department shall provide affordable health care coverage to children under the age of nineteen who reside in Washington state and whose family income at the time of enrollment is not greater than two hundred fifty percent of the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services, and effective January 1, 2009, and only to the extent that funds are specifically appropriated therefor, to children whose family income is not greater than three hundred percent of the federal poverty level. In administering the program, the department shall take such actions as may be necessary to ensure the receipt of federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available in the future. The department and the caseload forecast council shall estimate the anticipated caseload and costs of the program established in this section.

(2) The department shall accept applications for enrollment for children's health care coverage; establish appropriate minimum-enrollment periods, as may be necessary; and determine eligibility based on current family income. The department shall make eligibility determinations within the time frames for establishing eligibility for children on medical assistance, as defined by RCW 74.09.510. The application and annual renewal processes shall be designed to minimize administrative barriers for applicants and enrolled clients, and to minimize gaps in eligibility for families who are eligible for coverage. If a change in family income results in a change in ~~((program eligibility))~~ the source of funding for coverage, the department shall transfer the family members to the appropriate ~~((programs))~~ source of funding and notify the family with respect to any change in premium obligation, without a break in eligibility. The department shall use the same eligibility redetermination and appeals procedures as those provided for children on medical assistance programs. The department shall modify its eligibility renewal procedures to lower the percentage of children failing to annually renew. ~~((The department shall report to the appropriate committees of the legislature on its progress in this regard by December 2007-))~~ The department shall manage its outreach, application, and renewal

procedures with the goals of: (a) Achieving year by year improvements in enrollment, enrollment rates, renewals, and renewal rates; (b) maximizing the use of existing program databases to obtain information related to earned and unearned income for purposes of eligibility determination and renewals, including, but not limited to, the basic food program, the child care subsidy program, federal social security administration programs, and the employment security department wage database; (c) streamlining renewal processes to rely primarily upon data matches, online submissions, and telephone interviews; and (d) implementing any other eligibility determination and renewal processes to allow the state to receive an enhanced federal matching rate and additional federal outreach funding available through the federal children's health insurance program reauthorization act of 2009 by January 2010. The department shall advise the governor and the legislature regarding the status of these efforts by September 30, 2009. The information provided should include the status of the department's efforts, the anticipated impact of those efforts on enrollment, and the costs associated with that enrollment. Each child enrolled in the apple health for kids program under this section will receive an eligibility card that clearly identifies the bearer, by text and logo, as a participant in the program. The card also must include a statement that the goal of the apple health for kids program is to provide health care coverage so that all children in Washington state have the opportunity to succeed in school and live healthy lives.

(3) To ensure continuity of care and ease of understanding for families and health care providers, and to maximize the efficiency of the program, the amount, scope, and duration of health care services provided to children under this section shall be the same as that provided to children under medical assistance, as defined in RCW 74.09.520.

(4) The primary mechanism for purchasing health care coverage under this section shall be through contracts with managed health care systems as defined in RCW 74.09.522 ~~((except when utilization patterns suggest that fee-for-service purchasing could produce equally effective and cost-efficient care))~~. However, the department shall make every effort within available resources to purchase health care coverage for uninsured children whose families have access to dependent coverage through an employer-sponsored health plan or another source when it is cost-effective for the state to do so, and the purchase is consistent with requirements of Title XIX and Title XXI of the federal social security act. To the extent allowable under federal law, the department shall require families to enroll in available employer-sponsored coverage, as a condition of participating in the program established under ~~((chapter 5, Laws of 2007))~~ this section, when it is cost-effective for the state to do so. Families who enroll in available employer-sponsored coverage under ~~((chapter 5, Laws of 2007))~~ this section shall be accounted for separately in the annual report required by RCW 74.09.053.

(5)(a) To reflect appropriate parental responsibility, the department shall develop and implement a schedule of premiums for children's health care coverage due to the department from families with income greater than two hundred percent of the federal poverty level. For families with income greater than two hundred fifty percent of the federal poverty level, the premiums shall be established in consultation with the senate majority and minority leaders and the speaker and minority leader of the house of representatives. Premiums shall be set at a reasonable level that does not pose a barrier to enrollment. The amount of the premium shall be based upon family income and shall not exceed the premium limitations in Title XXI of the federal social security act. Premiums shall not be

imposed on children in households at or below two hundred percent of the federal poverty level as articulated in RCW 74.09.055.

(b) Beginning no later than January 1, ~~((2009))~~ 2010, the department shall offer families whose income is greater than three hundred percent of the federal poverty level the opportunity to purchase health care coverage for their children through the programs administered under this section without ~~((a))~~ an explicit premium subsidy from the state. The design of the health benefit package offered to these children should provide adequate and appropriate coverage, and may differ with respect to cost-sharing, covered services, and other appropriate elements from that provided to children under subsection (3) of this section only to the extent necessary to offer an affordable benefit package for the affected families. The amount paid by the family shall be in an amount equal to the rate paid by the state to the managed health care system for coverage of the child, including any associated and administrative costs to the state of providing coverage for the child.

(i) The activities and operations of the children's health coverage program under this subsection, including those of managed health care systems to the extent of their participation in the program, are exempt from the provisions of Title 48 RCW, except:

(A) The coverage is subject to RCW 48.21.200 and is excess to the benefits payable under the terms of any insurance policy issued to or on the behalf of an enrollee that provides payments toward medical expenses without a determination of liability for the injury.

(B) Managed health care systems are subject to the provisions of RCW 48.43.022, 48.43.500 through 48.43.535, 48.43.545, and 48.43.550.

(ii) The activities and operations of the children's health coverage program under this subsection are subject to the provisions of RCW 43.70.235, 70.02.045, 70.02.110, and 70.02.900.

(iii) Persons appointed or authorized to solicit applications for enrollment in nonsubsidized state children's health coverage, including employees of the department, must comply with chapter 48.17 RCW. For purposes of this subsection, the term "solicit" does not include distributing information and applications for nonsubsidized state children's health coverage and responding to questions.

(iv) Amounts paid to a managed health care system by the department for providing health care services pursuant to this subsection must comply with RCW 48.14.0201.

(6) The department shall undertake and continue a proactive, targeted outreach and education effort with the goal of enrolling children in health coverage and improving the health literacy of youth and parents. The department shall collaborate with the department of health, local public health jurisdictions, the office of ~~((the))~~ the superintendent of public instruction, the department of early learning, health educators, health care providers, health carriers, community-based organizations, and parents in the design and development of this effort. The outreach and education effort shall include the following components:

(a) Broad dissemination of information about the availability of coverage, including media campaigns;

(b) Assistance with completing applications, and community-based outreach efforts to help people apply for coverage. Community-based outreach efforts should be targeted to the populations least likely to be covered;

(c) Use of existing systems, such as enrollment information from the free and reduced-price lunch program, the department of early learning child care subsidy program, the department of health's women, infants, and children program, and the early childhood

education and assistance program, to identify children who may be eligible but not enrolled in coverage;

(d) Contracting with community-based organizations and government entities to support community-based outreach efforts to help families apply for coverage. These efforts should be targeted to the populations least likely to be covered. The department shall provide informational materials for use by government entities and community-based organizations in their outreach activities, and should identify any available federal matching funds to support these efforts;

(e) Development and dissemination of materials to engage and inform parents and families statewide on issues such as: The benefits of health insurance coverage; the appropriate use of health services, including primary care provided by health care practitioners licensed under chapters 18.71, 18.57, 18.36A, and 18.79 RCW, and emergency services; the value of a medical home, well-child services and immunization, and other preventive health services with linkages to department of health child profile efforts; identifying and managing chronic conditions such as asthma and diabetes; and the value of good nutrition and physical activity;

(f) An evaluation of the outreach and education efforts, based upon clear, cost-effective outcome measures that are included in contracts with entities that undertake components of the outreach and education effort;

(g) ~~((A feasibility study and))~~ An implementation plan to develop online application capability that is integrated with the department's automated client eligibility system, and to develop data linkages with the office of ~~((the))~~ the superintendent of public instruction for free and reduced-price lunch enrollment information and the department of early learning for child care subsidy program enrollment information. ~~((The department shall submit a feasibility study on the implementation of the requirements in this subsection to the governor and legislature by July 2008.))~~

(7) The department shall take action to increase the number of primary care physicians providing dental disease preventive services including oral health screenings, risk assessment, family education, the application of fluoride varnish, and referral to a dentist as needed.

(8) The department shall monitor the rates of substitution between private-sector health care coverage and the coverage provided under this section and shall report to appropriate committees of the legislature by December 2010.

(9) To ensure planning and coordination of all aspects of the apple health for kids program across all the involved agencies and with the various stakeholders, and to facilitate the collection, reporting, and analysis of the outcome data required by section 3 of this act, the position of apple health executive is established and will report directly to the secretary.

Sec. 3. RCW 74.09.480 and 2007 c 5 s 4 are each amended to read as follows:

(1) The department, in collaboration with the department of health, health carriers, local public health jurisdictions, children's health care providers including pediatricians, family practitioners, and pediatric subspecialists, community and migrant health centers, parents, and other purchasers, shall ~~((identify explicit performance measures that indicate that a child has an established and effective medical home, such as))~~ establish a concise set of explicit performance measures that can indicate whether children enrolled in the program are receiving health care through an established and effective medical home, and whether the overall health of enrolled children is improving. Such indicators may include, but are not limited to:

(a) Childhood immunization rates;

(b) Well child care utilization rates, including the use of validated, structured developmental assessment tools that include behavioral and oral health screening;

(c) Care management for children with chronic illnesses;

(d) Emergency room utilization; ~~((and))~~

(e) Visual acuity and eye health;

(f) Preventive oral health service utilization; and

(g) Children's mental health status. In defining these measures the department shall be guided by the measures provided in RCW 71.36.025.

Performance measures and targets for each performance measure must be ~~((reported to the appropriate committees of the senate and house of representatives by December 1, 2007))~~ established and monitored each biennium, with a goal of achieving measurable, improved health outcomes for the children of Washington state each biennium.

(2) Beginning in calendar year 2009, targeted provider rate increases shall be linked to quality improvement measures established under this section. The department, in conjunction with those groups identified in subsection (1) of this section, shall develop parameters for determining criteria for increased payment, alternative payment methodologies, or other incentives for those practices and health plans that incorporate evidence-based practice and improve and achieve sustained improvement with respect to the measures ~~((in both fee for service and managed care))~~.

(3) The department shall provide ~~((an annual))~~ a report to the governor and the legislature related to provider performance on these measures, beginning in September 2010 for 2007 through 2009 and ((annually)) biennially thereafter. The department shall advise the legislature as to its progress towards developing this biennial reporting system by September 30, 2009.

**NEW SECTION. Sec. 4.** This act may be known and cited as the apple health for kids act."

Representative Herrera moved the adoption of amendment (159) to amendment (157):

On page 6, after line 2 of the striking amendment, insert the following:

"(v) Health carriers, as defined in RCW 48.43.005(18), shall be provided the same exemptions to Title 48 RCW related to health benefits offered to children under the age of nineteen, as provided to the children's health coverage program under this subsection."

Representatives Herrera and Erickson spoke in favor of the adoption of the amendment to amendment (157).

Representative Cody against the adoption of the amendment to amendment (157).

Amendment (159) to amendment (157) was not adopted.

Amendment (157) 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 Seaquist, Clibborn, Morrell and Orwall spoke in favor of the passage of the bill.

Representatives Hinkle, Herrera, Cox, Bailey, Erickson and Ross spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2128.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2128 and the bill passed the House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, DeBolt, Erickson, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Warnick.

Excused: Representative Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2128, having received the necessary constitutional majority, was declared passed.

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

### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 1761, by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Hasegawa, Appleton and Hurst).**

#### Addressing the ethical use of legislative web sites.

The bill was read the third time.

Representative Hasegawa spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1761.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1761 and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins,

Hunt, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Quall, Roberts, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Finn, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Rolfes, Ross, Schmick, Shea, Short, Smith, Warnick, White and Williams.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1761, having received the necessary constitutional majority, was declared passed.

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

## SECOND READING

**HOUSE BILL NO. 1385, by Representatives Haler, Van De Wege, Kessler, Pearson, Takko, Klippert, Blake, Morrell, Dammeier, Warnick, Smith and Johnson**

**Modifying provisions relating to sexual misconduct by school employees.**

The bill was read the second time.

Representative Haler moved the adoption of amendment (085):

On page 1, line 17, after "with a registered student of the" insert "same"

On page 2, at the end of line 23, after "sexual contact with a registered student of the" insert "same"

Representatives Haler and Hurst spoke in favor of the adoption of the amendment.

Amendment (085) 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 Haler, Orcutt, Pearson and Hurst spoke in favor of the passage of the bill.

Representative Appleton spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1385.

## MOTIONS

On motion of Representative Santos, Representative Flannigan was excused

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1385 and the bill passed the House by the following vote: Yeas, 81; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Grant-Herriot, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Morrell, Morris, Nelson, O'Brien, Orcutt, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick and Mr. Speaker.

Voting nay: Representatives Appleton, Carlyle, Chase, Darneille, Goodman, Hasegawa, Hunt, Moeller, Ormsby, Pedersen, Roberts, White, Williams and Wood.

Excused: Representatives Flannigan and Walsh.

ENGROSSED HOUSE BILL NO. 1385, having received the necessary constitutional majority, was declared passed.

## STATEMENT FOR THE JOURNAL

I intended to vote NAY on ENGROSSED HOUSE BILL NO. 1385.

DEBORAH EDDY, 48th District

## STATEMENT FOR THE JOURNAL

I intended to vote NAY on ENGROSSED HOUSE BILL NO. 1385.

MARY LOU DICKERSON, 36th District

## SECOND READING

**HOUSE BILL NO. 1062, by Representatives Takko, Warnick, Blake, Orcutt, Ericks and Morris**

**Modifying the electrolytic processing business tax exemption.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1062 was substituted for House Bill No. 1062 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1062 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 Takko and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1062.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1062 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1062, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1357, by Representatives Pettigrew, Dickerson, Orwall, Walsh, Moeller, Kenney and Wood**

**Regarding the designation of "social worker."**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1357 was substituted for House Bill No. 1357 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1357 was read the second time.

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

Representative Pettigrew spoke in favor of the passage of the bill.

Representative Ericksen spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1357.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1357 and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen,

Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Ericksen, Kretz and Kristiansen.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1357, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1491, by Representatives Pedersen, Rodne, Rolfes, Seaquist, Kenney, Upthegrove, Cody, Chase, Nelson, Moeller, Carlyle, Hunter, Roberts, Morrell, White, Wood, Dickerson and Goodman**

**Addressing when vehicles overtake and pass pedestrians or bicycles.**

The bill was read the second time.

Representative Roach moved the adoption of amendment (151):

On page 3, beginning on line 17, after "distance" strike ", of no less than three feet,"

On page 3, after line 24, insert:

"(4) For purposes of subsection (2) of this section, a safe distance is defined as no less than three feet within cities with a population of 500,000 or more."

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

Representative Clibborn spoke against the adoption of the amendment.

Amendment (151) was not adopted.

Representative Orcutt moved the adoption of amendment (149):

On page 3, line 20, after "bicyclist." insert "It is not a violation of this subsection (2) to pass a bicyclist at any distance to the left if the bicyclist is within a designated bicycle lane and all portions of the vehicle are outside the bicycle lane."

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

Representative Driscoll spoke against the adoption of the amendment.

Amendment (149) was not adopted.

Representative Shea moved the adoption of amendment (150):

On page 3, line 20, after "bicyclist." insert "Failure to comply with the requirements of this subsection (2) regarding passing at a distance of no less than three feet shall not constitute negligence on the part of the driver of a vehicle, nor may failure to follow the requirements of this subsection regarding passing at a distance of no less than three feet be admissible as evidence of negligence in any civil action."

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

Representative Williams spoke against the adoption of the amendment.

Amendment (150) was not adopted.

Representative Roach moved the adoption of amendment (152):

On page 3, line 20, after "bicyclist." insert "Infractions that result from passing a bicyclist under this subsection (2) shall not become part of the driver's record under RCW 46.52.101 and 46.52.120. Additionally, a finding that a person has committed a traffic infraction under this section shall not be made available to insurance companies or employers."

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

Representative Liias spoke against the adoption of the amendment.

Amendment (152) was not adopted.

Representative Roach moved the adoption of amendment (153):

On page 3, line 20, after "bicyclist." insert "It is not a violation of this subsection (2) to pass a bicyclist at any distance to the left when the bicyclist is further than one foot from the curb, the shoulder of the roadway, or the line indicating the edge of a bicycle lane that is closest to the curb or shoulder of the roadway."

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

Representative Pedersen spoke against the adoption of the amendment.

Amendment (153) was not adopted.

Representative Ericksen moved the adoption of amendment (154):

On page 3, line 20, after "bicyclist." insert "It is not a violation of this subsection (2) to pass a bicycle at any distance to the left if there are two or more bicycles travelling abreast."

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

Representative Rolfes spoke against the adoption of the amendment.

Amendment (154) was not adopted.

Representative Kretz moved the adoption of amendment (160):

On page 3, line 20, after "bicyclist." insert "It is not a violation of this subsection (2) to pass a bicyclist at any distance to the left when the right edge of the roadway is delineated by an edge line and

the bicyclist is either on the roadway or within eighteen inches of the edge line."

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

Representative Liias spoke against the adoption of the amendment.

Amendment (160) was not adopted.

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

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1491.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1491 and the bill passed the House by the following vote: Yeas, 63; Nays, 32; Absent, 0; Excused, 2.

Voting yea: Representatives Angel, Appleton, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Cox, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Finn, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Armstrong, Bailey, Blake, Chandler, Condotta, Crouse, DeBolt, Ericks, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Klippert, Kretz, Kristiansen, McCune, O'Brien, Orcutt, Parker, Pearson, Priest, Roach, Schmick, Shea, Short, Smith, Wallace and Warnick.

Excused: Representatives Flannigan and Walsh.

HOUSE BILL NO. 1491, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1815, by Representatives Sullivan, Orcutt, Hinkle, Simpson, Blake, Kristiansen, Haigh, Ericks, Van De Wege, Hope, Newhouse, Roach, Armstrong, Morrell, Takko, Campbell, McCune and Rolfes**

**Concerning current use valuation under the property tax open space program.**

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (130):

On page 3, line 20, strike "or"

On page 3, line 21, after "within" strike "fifteen" and insert "seven, except as provided in subsection (d)(iii) of this subsection,"

On page 3, line 24, after "year;" insert "or"

(iii) Has a standing crop of short rotation hardwoods with an expectation of harvest within fifteen years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year;"

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

Amendment (130) 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 Sullivan and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1815.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1815 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

ENGROSSED HOUSE BILL NO. 1815, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2214, by Representative Simpson

**Concerning the reasonable costs of airport operators financing consolidated rental car facilities and common use transportation equipment and facilities. Revised for 1st Substitute: Concerning airport operators financing consolidated rental car facilities and common use transportation equipment and facilities.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2214 was substituted for House Bill No. 2214 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2214 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 Simpson and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2214.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2214 and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Upthegrove.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 2214, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1362, by Representatives Goodman, Rodne, Sullivan, Williams, Orwall, O'Brien, Kirby, Chase and Conway**

**Concerning conveyances used in prostitution-related offenses.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1362 was substituted for House Bill No. 1362 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1362 was read the second time.

Representative Goodman moved the adoption of amendment (083):

On page 1, at the beginning of line 8, strike "prostitution,"

Representatives Goodman and Roach spoke in favor of the adoption of the amendment.

Amendment (083) 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 Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1362.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1362 and the bill passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Van De Wege, Wallace, Warnick, White, Williams and Mr. Speaker.

Voting nay: Representatives Anderson, Ormsby, Upthegrove and Wood.

Excused: Representatives Flannigan and Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1900, by Representatives Kelley and Hurst

**Modifying the notice requirement when an attorney or private investigator requests vehicle owner information. Revised for 1st Substitute: Requiring a disclosing entity to send notice to a vehicle owner no earlier than thirty days after granting a request for vehicle owner information.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1900 was substituted for House Bill No. 1900 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1900 was read the second time.

Representative Shea moved the adoption of amendment (079):

On page 2, at the beginning of line 22, strike all material through "request." on line 24 and insert "((also shall contain the name and address of the requesting party)) must also state that the information was requested by an attorney or private investigator under this section."

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

Representative Kelley spoke against the adoption of the amendment.

Amendment (079) was not adopted.

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

Representatives Kelley, Shea and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1900.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1900 and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Hasegawa.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1900, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2289, by Representative McCoy

#### Expanding the energy freedom program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2289 was substituted for House Bill No. 2289 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2289 was read the second time.



Representative Chandler moved the adoption of amendment (161):

On page 1, line 8, after "funding" insert "to support the deployment of renewable energy and energy efficiency improvements, and development of new water supply storage facilities in the Columbia river basin"

On page 3, line 31, after "geothermal systems." insert "For purposes of this act, hydroelectric generators installed at a water supply storage facility developed under chapter 90.90 RCW shall be considered a renewable energy improvement."

On page 4, line 3, after "coproducts." insert the following: "(18) "Water supply storage facility" means a water supply storage facility developed under the Columbia river basin water supply program established in chapter 90.90 RCW."

On page 6, line 8, after "(6)" insert "The director, in consultation with the director of the department of ecology, may award a grant or a loan to an applicant for a project to develop a water supply storage facility under chapter 90.90 RCW.

(7)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 6, line 20, after "industry" insert ", or new water supply storage facilities"

On page 8, line 8, after "section." insert the following: "(c) Repayments of principal and interest from loans made to water supply storage facility projects as defined in RCW 43.325.010 must be used only for financial assistance to further funding of projects defined under RCW 43.325.010."

On page 9, line 23, after "immediately." insert the following:

"**Sec. 9.** RCW 19.285.030 and 2007 c 1 s 3 (Initiative Measure No. 937) are each amended to read as follows:

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

(1) "Attorney general" means the Washington state office of the attorney general.

(2) "Auditor" means: (a) The Washington state auditor's office or its designee for qualifying utilities under its jurisdiction that are not investor-owned utilities; or (b) an independent auditor selected by a qualifying utility that is not under the jurisdiction of the state auditor and is not an investor-owned utility.

(3) "Commission" means the Washington state utilities and transportation commission.

(4) "Conservation" means any reduction in electric power consumption resulting from increases in the efficiency of energy use, production, or distribution.

(5) "Cost-effective" has the same meaning as defined in RCW 80.52.030.

(6) "Council" means the Washington state apprenticeship and training council within the department of labor and industries.

(7) "Customer" means a person or entity that purchases electricity for ultimate consumption and not for resale.

(8) "Department" means the department of community, trade, and economic development or its successor.

(9) "Distributed generation" means an eligible renewable resource where the generation facility or any integrated cluster of such facilities has a generating capacity of not more than five megawatts.

(10) "Eligible renewable resource" means:

(a) Electricity from a generation facility powered by a renewable resource other than fresh water that commences operation after March 31, 1999, where: (i) The facility is located in the Pacific

Northwest; or (ii) the electricity from the facility is delivered into Washington state on a real-time basis without shaping, storage, or integration services; or

(b) Incremental electricity produced as a result of efficiency improvements completed after March 31, 1999, to hydroelectric generation projects owned by a qualifying utility and located in the Pacific Northwest or to hydroelectric generation in irrigation pipes and canals located in the Pacific Northwest, where the additional generation in either case does not result in new water diversions or impoundments.

(c) Electricity produced from a generation facility located at a water supply storage facility developed under chapter 90.90 RCW.

(11) "Investor-owned utility" has the same meaning as defined in RCW 19.29A.010.

(12) "Load" means the amount of kilowatt-hours of electricity delivered in the most recently completed year by a qualifying utility to its Washington retail customers.

(13) "Nonpower attributes" means all environmentally related characteristics, exclusive of energy, capacity reliability, and other electrical power service attributes, that are associated with the generation of electricity from a renewable resource, including but not limited to the facility's fuel type, geographic location, vintage, qualification as an eligible renewable resource, and avoided emissions of pollutants to the air, soil, or water, and avoided emissions of carbon dioxide and other greenhouse gases.

(14) "Pacific Northwest" has the same meaning as defined for the Bonneville power administration in section 3 of the Pacific Northwest electric power planning and conservation act (94 Stat. 2698; 16 U.S.C. Sec. 839a).

(15) "Public facility" has the same meaning as defined in RCW 39.35C.010.

(16) "Qualifying utility" means an electric utility, as the term "electric utility" is defined in RCW 19.29A.010, that serves more than twenty-five thousand customers in the state of Washington. The number of customers served may be based on data reported by a utility in form 861, "annual electric utility report," filed with the energy information administration, United States department of energy.

(17) "Renewable energy credit" means a tradable certificate of proof of at least one megawatt-hour of an eligible renewable resource where the generation facility is not powered by fresh water, the certificate includes all of the nonpower attributes associated with that one megawatt-hour of electricity, and the certificate is verified by a renewable energy credit tracking system selected by the department.

(18) "Renewable resource" means: (a) Water; (b) wind; (c) solar energy; (d) geothermal energy; (e) landfill gas; (f) wave, ocean, or tidal power; (g) gas from sewage treatment facilities; (h) biodiesel fuel as defined in RCW 82.29A.135 that is not derived from crops raised on land cleared from old growth or first-growth forests where the clearing occurred after December 7, 2006; and (i) biomass energy based on animal waste or solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include (i) wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (ii) black liquor byproduct from paper production; (iii) wood from old growth forests; or (iv) municipal solid waste.

(19) "Rule" means rules adopted by an agency or other entity of Washington state government to carry out the intent and purposes of this chapter.

(20) "Year" means the twelve-month period commencing January 1st and ending December 31st."

Correct the title.

**POINT OF ORDER**

Representative Hudgins requested a scope and object ruling on amendment (161) to House Bill No. 2289.

**SPEAKER'S RULING**

Mr. Speaker (Representative Morris presiding): "Substitute House Bill No. 2289 is titled "an act relating to expanding the energy freedom program". This bill amends several sections of RCW 43.325. The bill expands the Energy Freedom Program by including state efforts to promote, develop and encourage energy efficiency, renewable energy, and innovative every technology markets in Washington. The bill adds specific definitions of energy efficiency and renewable energy improvements. The bill modifies the definition of applicants eligible for the program, and specifies the criteria that the Department of Community, Trade and Economic Development must use when awarding grants.

Amendment (161) adds hydroelectric generators installed at water supply storage facilities developed under RCW 90.90 to the definition of energy projects eligible for funding in the Energy Freedom Program. The amendment also includes the electricity produced from such a facility as an eligible renewable resource under I-937 (RCW 19.285).

I-937 does the following: It sets renewable portfolio standards for utilities that serve over 25,000 customers; defines what types of electricity generation may be counted as renewable electricity; and, requires utilities that serve over 25,000 customers to obtain all cost effective and feasible conservation improvements.

Substitute House Bill No. 2289 does not amend I-937 in any way.

While including water supply storage facilities as eligible projects under the Energy Freedom Program is arguably within the scope and object of Substitute House Bill 2289, the amendment exceeds the scope and object by authorizing the electricity produced from the facility to be counted as an eligible renewable resource under I-937.

The point of order is well taken."

Representative Dunshee moved the adoption of amendment (170):

On page 8, after line 19, insert the following:

"(3) The non-state funding energy account is created in the state treasury as a subaccount of the energy freedom account. All receipts from appropriations made to the non-state energy funding account shall be deposited into the account, and may be spent only after appropriation."

Representatives Dunshee and Warnick spoke in favor of the adoption of the amendment.

Amendment (170) was adopted.

Representative Bailey moved the adoption of amendment (124):

On page 9, beginning on line 20, strike all of section 8  
Correct the title.

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

Representative Dunshee spoke against the adoption of the amendment.

Amendment (124) was not adopted.

The bill was ordered engrossed.

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

Representatives McCoy and Warnick spoke in favor of the passage of the bill.

Representatives Chandler, Armstrong and Haler spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2289.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2289 and the bill passed the House by the following vote: Yeas, 88; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Armstrong, Chandler, Condotta, Haler, Klippert, McCune and Shea.

Excused: Representatives Flannigan and Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2289, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1733, by Representatives Goodman, Blake, Springer, Eddy, Dunshee, Rolfes and Kessler**

**Concerning the property tax current use valuation programs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1733 was substituted for House Bill No. 1733 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1733 was read the second time.

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

Representatives Goodman, Hinkle and Ericksen spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1733.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1733 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1733, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1946, by Representatives Carlyle, Anderson, Wallace, Angel, White, Schmick, Hasegawa, Goodman, Sullivan, Haigh, Hudgins, Kenney and Maxwell**

**Regarding higher education online technology.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1946 was substituted for House Bill No. 1946 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1946 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.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1946.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1946 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks,

Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

SECOND SUBSTITUTE HOUSE BILL NO. 1946, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1981, by Representatives Driscoll, Parker, Wood and Ormsby**

**Modifying the rural county tax credit provided in chapter 82.62 RCW.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1981 was substituted for House Bill No. 1981 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1981 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 Driscoll and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1981.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1981 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1981, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2072, by Representatives Wallace, Clibborn and Wood**

**Concerning transportation for persons with special transportation needs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2072 was substituted for House Bill No. 2072 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2072 was read the second time.

Representative Wallace moved the adoption of amendment (194):

On page 2, after line 32, insert the following:

"(e) Indian tribes;"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, after line 30, insert the following:

"(4) The work group may also develop an alternative to the community access manager model proposed in the 2009 special needs transportation study recommendations, as described in section 1(1) of this act, as a recommendation to be considered by the joint transportation committee. Any proposed alternative model must build upon the work conducted in the pilot projects under section 11 of this act and the work completed in the 2009 study, and must be consistent with the goals of the 2009 study.

(5) Subject to available funds, the work group may consult with other agencies and organizations as needed."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 13, line 27, after "sharing" insert ", including but not limited to opportunities"

On page 16, after line 17, insert the following:

**NEW SECTION. Sec. 15.** A new section is added to chapter 43.20A RCW to read as follows:

(1) The department shall collect and track data related to transportation purchased for all of its clients. The data must identify the number of trips provided by service provider, number of clients served, cost per trip, and total cost of transportation provided. For purposes of this subsection, a "trip" means transportation provided from a place of origin to a single point of destination.

(2) Beginning in September 2009, the department shall provide the agency council on coordinated transportation, as provided under chapter 47.06B RCW, with quarterly reports detailing the data collected under subsection (1) of this section."

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

Correct the title.

Representatives Wallace and Roach spoke in favor of the adoption of the amendment.

Amendment (194) 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 Wallace and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2072.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2072 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2072, having received the necessary constitutional majority, was declared passed.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

**SECOND READING**

**HOUSE BILL NO. 1445, by Representatives Simpson, O'Brien, Van De Wege, Goodman, Sullivan, Hunt, Ormsby, Conway and Santos**

**Providing benefits to domestic partners under the Washington state patrol retirement system.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1445 was substituted for House Bill No. 1445 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1445 was read the second time.

Representative Ericks moved the adoption of amendment (168):

On page 8, line 10, after "to a" strike "divorce" and insert "~~(divorce)~~ dissolution"

On page 8, beginning on line 11 after "2002" strike all material through "section" on line 13

On page 8, line 13, after "dissolution order" strike "or termination order"

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

Amendment (168) 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.

Representative Simpson spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1445.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1445 and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Miloscia, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Warnick.

Excused: Representatives Flannigan and Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1445, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1616, by Representative Simpson

**Addressing the state pension benefits of certain domestic partners.**

The bill was read the second time.

Representative Ericks moved the adoption of amendment (169):

On page 1, beginning on line 17, after "partners" strike all material through "26.60.020" on line 18

On page 2, beginning on line 1, after "partners" strike all material through "26.60.020" on line 2

On page 2, beginning on line 7, after "partners" strike all material through "26.60.020" on line 8

On page 2, beginning on line 16, after "partners" strike all material through "26.60.020" on line 17

On page 3, beginning on line 3 after "partners" strike all material through "26.60.020" on line 4

On page 12, beginning on line 4, after "two adults who" strike all material through "established by" on line 5 and insert "have registered as domestic partners under"

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

Amendment (169) 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.

Representative Simpson spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1616.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1616 and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Miloscia, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Warnick.

Excused: Representatives Flannigan and Walsh.

ENGROSSED HOUSE BILL NO. 1616, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2125, by Representatives Santos and Kenney

**Addressing community preservation and development authorities.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2125 was substituted for House Bill No. 2125 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2125 was read the second time.

Representative Smith moved the adoption of amendment (087):

On page 6, line 8, after "section" strike "is" and insert ";  
(a) Is"

On page 6, line 10, after "42.17.128" insert "; and

(b) May not use the funds to support or oppose a candidate, ballot proposition, political party, or political committee"

Representatives Smith and Lias spoke in favor of the adoption of the amendment.

Amendment (087) was adopted.

Representative Smith moved the adoption of amendment (088):

On page 7, line 3, after "activities," insert "receipts and expenditures,"

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

Representative Lias spoke against the adoption of the amendment.

Amendment (088) was not adopted.

The bill was ordered engrossed.

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

Representative Santos spoke in favor of the passage of the bill.

Representative Smith spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2125.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2125 and the bill passed the House by the following vote: Yeas, 63; Nays, 32; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Warnick.

Excused: Representatives Flannigan and Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2125, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1953, by Representatives Conway, Bailey, Seaquist, Hurst, Van De Wege, Green, Simpson, Crouse, Orcutt, Ormsby, Williams and Hinkle**

**Allowing department of fish and wildlife enforcement officers to transfer service credit.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1953 was substituted for House Bill No. 1953 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1953 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 Conway and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1953.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1953 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1953, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1683, by Representatives Kirby, Goodman, Nelson, Campbell, Williams, Orwall, Green, Ormsby, Moeller and Pedersen**

**Modifying provisions relating to consumer protection act violations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1683 was substituted for House Bill No. 1683 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1683 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 Kirby, Goodman and Pearson spoke in favor of the passage of the bill.

Representatives Rodne and Hinkle spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1683.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1683 and the bill passed the House by the following vote: Yeas, 59; Nays, 36; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Warnick.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1683, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1618, by Representatives White, Nelson, Hudgins, Kenney, Sullivan, Carlyle, Hasegawa, Santos, Green, Miloscia, Orwall, Pedersen, Cody, Dickerson, Lias, Kelley, Pettigrew, Goodman, Simpson, Morrell and Ormsby**

#### Concerning community and surplus schools.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1618 was substituted for House Bill No. 1618 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1618 was read the second time.

Representative White moved the adoption of amendment (205):

On page 2, line 14, after "children" strike "and"

On page 2, line 15, after "families" insert "; (e) enabling the use and improving the access to surplus schools for community purposes; and (f) assisting school districts with the conversion of surplus schools from illiquid assets to liquid capital funds"

On page 5, line 27, after "language;" strike "and (o)" and insert "(o) Solely with respect to surplus schools any non-profit, community use or community purpose; and (p)"

Representatives White and Warnick spoke in favor of the adoption of the amendment.

Amendment (205) 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.

Representative White spoke in favor of the passage of the bill.

Representative Warnick spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1618.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1618 and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Warnick.

Excused: Representatives Flannigan and Walsh.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which HOUSE BILL NO. 1385 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1385 on reconsideration.

#### ROLL CALL

The Clerk called the roll on final passage of House Bill No. 1385 on reconsideration and the bill passed the House by the following vote: Yeas, 81; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Grant-Herriot, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Morrell, Morris, Nelson, O'Brien, Orcutt, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick and Mr. Speaker.

Voting nay: Representatives Appleton, Carlyle, Chase, Darneille, Goodman, Hasegawa, Hunt, Moeller, Ormsby, Pedersen, Roberts, White, Williams and Wood.

Excused: Representatives Flannigan and Walsh.

HOUSE BILL NO. 1385, on reconsideration, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1418 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1418 on reconsideration.

#### ROLL CALL

The Clerk called the roll on final passage of Substitute House Bill No. 1418 on reconsideration and the bill passed the House by the following vote: Yeas, 82; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Representatives Anderson, Angel, Appleton, Armstrong, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Cox, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Bailey, Chandler, Condotta, Crouse, Hinkle, Klippert, Kretz, Kristiansen, Pearson, Shea, Short and Warnick.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1418, on reconsideration, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1972 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1972 on reconsideration.

#### ROLL CALL

The Clerk called the roll on final passage of Substitute House Bill No. 1972 on reconsideration and the bill passed the House by the following vote: Yeas, 65; Nays, 30; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hope, Hudgins, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Ross, Schmick, Shea, Short, and Warnick.

Excused: Representatives Flannigan and Walsh.

SUBSTITUTE HOUSE BILL NO. 1972, on reconsideration, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Rules was relieved of the following bills, and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1009  
HOUSE BILL NO. 1015  
HOUSE BILL NO. 1021  
HOUSE BILL NO. 1081  
HOUSE BILL NO. 1114  
HOUSE BILL NO. 1123  
HOUSE BILL NO. 1184  
HOUSE BILL NO. 1201  
HOUSE BILL NO. 1226  
HOUSE BILL NO. 1263  
HOUSE BILL NO. 1287  
HOUSE BILL NO. 1300  
HOUSE BILL NO. 1347  
HOUSE BILL NO. 1349  
HOUSE BILL NO. 1373  
HOUSE BILL NO. 1374  
HOUSE BILL NO. 1379  
HOUSE BILL NO. 1413



HOUSE BILL NO. 1415  
HOUSE BILL NO. 1435  
HOUSE BILL NO. 1469  
HOUSE BILL NO. 1481  
HOUSE BILL NO. 1482  
HOUSE BILL NO. 1489  
HOUSE BILL NO. 1512  
HOUSE BILL NO. 1514  
HOUSE BILL NO. 1565  
HOUSE BILL NO. 1570  
HOUSE BILL NO. 1572  
HOUSE BILL NO. 1579  
HOUSE BILL NO. 1597  
HOUSE BILL NO. 1621  
HOUSE BILL NO. 1639  
HOUSE BILL NO. 1701  
HOUSE BILL NO. 1709  
HOUSE BILL NO. 1741  
HOUSE BILL NO. 1747  
HOUSE BILL NO. 1751  
HOUSE BILL NO. 1753  
HOUSE BILL NO. 1776  
HOUSE BILL NO. 1782  
HOUSE BILL NO. 1793  
HOUSE BILL NO. 1797  
HOUSE BILL NO. 1886  
HOUSE BILL NO. 1914  
HOUSE BILL NO. 1919  
HOUSE BILL NO. 1935  
HOUSE BILL NO. 1938  
HOUSE BILL NO. 1939  
HOUSE BILL NO. 1950  
HOUSE BILL NO. 1961  
HOUSE BILL NO. 1967  
HOUSE BILL NO. 2052  
HOUSE BILL NO. 2079  
HOUSE BILL NO. 2105  
HOUSE BILL NO. 2106  
HOUSE BILL NO. 2113  
HOUSE BILL NO. 2122  
HOUSE BILL NO. 2126  
HOUSE BILL NO. 2130  
HOUSE BILL NO. 2166  
HOUSE BILL NO. 2167  
HOUSE BILL NO. 2198  
HOUSE BILL NO. 2206  
HOUSE BILL NO. 2222  
HOUSE BILL NO. 2245  
HOUSE BILL NO. 2254  
HOUSE BILL NO. 2271  
HOUSE BILL NO. 2278  
HOUSE BILL NO. 2279  
HOUSE BILL NO. 2287  
HOUSE BILL NO. 2291  
HOUSE BILL NO. 2299

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

There being no objection, the House adjourned until 10:00 a.m., March 9, 2009, the 57th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk