

SIXTIETH LEGISLATURE - REGULAR SESSION

SEVENTY EIGHTH DAY

House Chamber, Olympia, Monday, March 26, 2007

The House was called to order at 9:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rose Dahl and Prescott Ridenour. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Reverend Carol Johnson-Sorenson, Pastoral Counselor with Pacific Pastoral Counseling Services.

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

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

REPORTS OF STANDING COMMITTEES

March 22, 2007

SSB 5032 Prime Sponsor, Senate Committee On Government Operations & Elections: Concerning the Vancouver national historic reserve. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse; Orcutt and Strow.

Referred to Committee on Appropriations.

March 21, 2007

SB 5036 Prime Sponsor, Senator Eide: Repealing the application of the sunset act to the intermediate driver's license program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chairman; Flannigan, Vice Chairman; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton; Armstrong; Campbell; Dickerson; Eddy; Ericksen; Hailey;

Hankins; Hudgins; Rodne; Rolfes; Sells; Simpson; Springer; B. Sullivan; Takko; Wallace and Wood.

Passed to Committee on Rules for second reading.

March 21, 2007

SB 5086 Prime Sponsor, Senator Haugen: Increasing the population threshold for state highway maintenance responsibility in cities and towns. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chairman; Flannigan, Vice Chairman; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton; Armstrong; Campbell; Dickerson; Eddy; Ericksen; Hailey; Hankins; Hudgins; Rodne; Rolfes; Sells; Simpson; Springer; B. Sullivan; Takko; Upthegrove; Wallace and Wood.

Passed to Committee on Rules for second reading.

March 22, 2007

SSB 5236 Prime Sponsor, Senate Committee On Natural Resources, Ocean & Recreation: Concerning the management of public lands. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse and Strow.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt.

Passed to Committee on Rules for second reading.

March 22, 2007

SB 5259 Prime Sponsor, Senator Jacobsen: Modifying provisions governing the sale of unneeded park land. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse; Orcutt and Strow.

Passed to Committee on Rules for second reading.

March 22, 2007

ESB 5261 Prime Sponsor, Senator Keiser: Granting the insurance commissioner the authority to review individual health benefit plan rates. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended. Signed by Representatives Cody, Chairman; Morrell, Vice Chairman; Barlow; Campbell; Green; Moeller; Schual-Berke and Seaquist.

MINORITY recommendation: Without recommendation. Signed by Representatives Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Condotta; Curtis and Pedersen.

Passed to Committee on Rules for second reading.

March 21, 2007

SB 5264 Prime Sponsor, Senator Haugen: Authorizing the transportation commission to name or rename state transportation facilities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chairman; Flannigan, Vice Chairman; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton; Armstrong; Campbell; Dickerson; Eddy; Ericksen; Hailey; Hankins; Hudgins; Rodne; Rolfes; Sells; Simpson; Springer; B. Sullivan; Takko; Wallace and Wood.

Passed to Committee on Rules for second reading.

March 22, 2007

ESSB 5297 Prime Sponsor, Senate Committee On Early Learning & K-12 Education: Regarding providing medically and scientifically accurate sexual health education in schools. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chairman; Morrell, Vice Chairman; Barlow; Green; Moeller; Pedersen; Schual-Berke and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Campbell; Condotta and Curtis.

Passed to Committee on Appropriations.

March 21, 2007

ESB 5385 Prime Sponsor, Senator Shin: Providing the Washington higher education facilities authority the ability to originate and purchase educational loans and to issue student loan revenue bonds. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Wallace, Chairman; Sells, Vice Chairman; Anderson, Ranking Minority Member; Buri, Assistant Ranking Minority Member; Hasegawa; Jarrett; McIntire and Roberts.

Passed to Committee on Rules for second reading.

March 22, 2007

SB 5398 Prime Sponsor, Senator Marr: Licensing specialty hospitals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chairman; Morrell, Vice Chairman; Barlow; Campbell; Green; Moeller; Pedersen and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Condotta; Curtis and Schual-Berke.

Passed to Committee on Rules for second reading.

March 21, 2007

SB 5402 Prime Sponsor, Senator Kilmer: Establishing additional requirements for private vocational schools. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Wallace, Chairman; Sells, Vice Chairman; Anderson, Ranking Minority Member; Buri, Assistant Ranking Minority Member; Hasegawa; Jarrett; McIntire and Roberts.

Referred to Committee on Appropriations.

March 22, 2007

SSB 5447 Prime Sponsor, Senate Committee On Natural Resources, Ocean & Recreation: Regarding the

coastal Dungeness crab fishery. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse; Orcutt and Strow.

Referred to Committee on Appropriations.

March 22, 2007

SSB 5461 Prime Sponsor, Senate Committee On Natural Resources, Ocean & Recreation: Improving forest health on state trust lands by continuing the use of contract harvesting for silvicultural treatments. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse; Orcutt and Strow.

Referred to Committee on Appropriations.

March 22, 2007

SSB 5463 Prime Sponsor, Senate Committee On Natural Resources, Ocean & Recreation: Modifying forest fire protection assessments. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse and Strow.

MINORITY recommendation: Do not pass. Signed by Representative Orcutt.

Referred to Committee on Appropriations.

March 22, 2007

2SSB 5597 Prime Sponsor, Senate Committee On Ways & Means: Concerning contracts with chiropractors. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended. Signed by Representatives Cody, Chairman; Morrell, Vice

Chairman; Barlow; Campbell; Curtis; Green; Moeller; Pedersen; Schual-Berke and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Condotta. Referred to Committee on Appropriations.

March 22, 2007

SSB 5634 Prime Sponsor, Senate Committee On Human Services & Corrections: Revising corrections personnel training provisions. Reported by Committee on Public Safety & Emergency Preparedness

MAJORITY recommendation: Do pass as amended. Signed by Representatives O'Brien, Chairman; Hurst, Vice Chairman; Pearson, Ranking Minority Member; Ross, Assistant Ranking Minority Member; Ahern; Goodman and Lovick.

Passed to Committee on Rules for second reading.

March 22, 2007

2SSB 5883 Prime Sponsor, Senate Committee On Ways & Means: Concerning conversion of forest land to nonforestry uses. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse; Orcutt and Strow.

Passed to Committee on Rules for second reading.

March 22, 2007

SSB 6141 Prime Sponsor, Senate Committee On Natural Resources, Ocean & Recreation: Regarding forest health. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended. Signed by Representatives B. Sullivan, Chairman; Blake, Vice Chairman; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson; Eickmeyer; Grant; Hailey; Kagi; Lantz; McCoy; Newhouse; Orcutt and Strow.

Referred to Committee on Appropriations.

March 21, 2007

SCR 8404 Prime Sponsor, Senator Shin: Approving the 2006 update to the state comprehensive plan for

workforce training. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Wallace, Chairman; Sells, Vice Chairman; Anderson, Ranking Minority Member; Buri, Assistant Ranking Minority Member; Hasegawa; Jarrett; McIntire and Roberts.

Passed to Committee on Rules for second reading.

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

SECOND READING

HOUSE BILL NO. 1094, By Representatives Clibborn, Jarrett and O'Brien; by request of Governor Gregoire

Making transportation appropriations for 2007-2009.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1094 was substituted for House Bill No. 1094 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1094 was read the second time.

Representative Ericksen moved the adoption of amendment (459):

On page 5, line 12, increase the motor vehicle account--state appropriation by \$250,000

On page 6, after line 31, insert the following:

"(5) \$250,000 of the motor vehicle account--state appropriation is provided solely for a study of how the state could implement a partnership with a private entity to conduct all the necessary study, planning, design, construction, operation, and maintenance of the Interstate 5 corridor from the southern border of Skagit county to the northern border of Whatcom county. The joint transportation committee shall complete the draft report on or before December 15, 2007. A final report shall be delivered to the standing committees on transportation prior to the 2008 legislative session."

Representatives Ericksen and Ericksen (again) spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ericksen moved the adoption of amendment (462):

On page 5, line 12, increase the motor vehicle account--state appropriation by \$250,000

On page 6, after line 31, insert the following:

"(5) \$250,000 of the motor vehicle account--state appropriation is provided solely for a study of how the state could implement a partnership with a private entity to conduct all the necessary study, planning, design, construction, operation, and maintenance of the Interstate 5 corridor from the southern border of Skagit county to the northern border of Whatcom county. The joint transportation committee shall complete the draft report on or before December 15, 2007. A final report shall be delivered to the standing committees on transportation prior to the 2008 legislative session."

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

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (464):

On page 10, line 22, decrease the highway safety account--state appropriation by \$13,000

On page 10, line 27, decrease the total appropriation by \$13,000

On page 11, beginning on line 37, strike all of subsection (6)

On page 12, line 12, decrease the highway safety account--state appropriation by \$7,000

On page 12, line 17, decrease the total appropriation by \$7,000

On page 13, beginning on line 22, strike all of subsection (6)

Renumber remaining sections consecutively

On page 14, line 22, decrease the highway safety account--state appropriation by \$180,000

On page 14, line 24, decrease the total appropriation by \$180,000

On page 15, beginning on line 18, strike all of subsection (4)

On page 32, after line 4, insert:
"Highway safety account--state appropriation.....\$200,000"

On page 32, line 5, increase the total appropriation by \$200,000

On page 36, after line 7, insert the following:

"(23) \$200,000 of the highway safety account--state appropriation is provided solely to the department for an eight point access study for an interchange on interstate ninety at Green Acres. The department shall examine existing conditions and provide necessary analysis to determine what improvements will be required. The legislature finds that planning and future improvements for this segment are critical, as there is limited access to areas with strong economic development potential. This project seeks to enhance the regional transportation system by improving traffic safety and increasing productivity."

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

Representative Hudgins spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Jarrett moved the adoption of amendment (446):

On page 21, line 16, increase the state appropriation to the motor vehicle account by \$75,000

On page 21, line 24, increase the total appropriation by \$75,000

On page 22, after line 14 insert:

"(4) \$75,000 of the motor vehicle account -- state appropriation is provided solely for the Puget Sound Regional Council to conduct a pilot program for multimodal concurrency analysis. This pilot program must analyze total trip needs for a regional growth center based on adopted land use plans; identify the number of trips which can be accommodated by planned roadway, transit service, and non-motorized investments; identify gaps for trips that cannot be served, and strategies to fill those gaps. The purpose of this pilot program is to demonstrate how this type of multimodal concurrency analysis can be used to broaden and strengthen local concurrency programs."

Representatives Jarrett and Priest spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Clibborn moved the adoption of amendment (449):

On page 28, after line 17, insert "(5) Within the appropriation, the department shall add a position within the freight office to provide expertise regarding the trucking aspects of the state's freight system."

Representatives Clibborn and Jarrett spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Clibborn moved the adoption of amendment (450):

On page 31, line 32, strike "\$76,284,000" and insert "\$76,354,000"

On page 31, line 33, strike "\$400,642,000" and insert "\$403,644,000"

On page 32, line 5, strike "\$2,978,647,000" and insert "\$2,981,719,000"

On page 32, beginning on line 29, strike all of subsection (4)

Renumber remaining sections consecutively

On page 33, line 22, after "section," strike "\$12,278,000" and insert "\$2,803,000"

On page 33, beginning on line 24, strike "\$11,004,443" and insert "\$9,187,000"

On page 33, line 26, after "section:" strike all material through "HOV" on line 27 and insert "I-90/Two Way Transit-Transit and HOV Improvements - Stage 1"

On page 36, line 12, strike "\$68,527,000" and insert "\$71,591,000"

On page 36, line 13, strike "\$424,938,000" and insert "\$425,159,000"

On page 36, line 18, strike "\$746,616,000" and insert "\$749,901,000"

On page 48, line 7, after ""under" strike "chapters 41.80, 41.56, and 47.64" and insert "chapter 41.80"

On page 54, after line 5, insert the following:

"NEW SECTION. Sec. 519. COLLECTIVE BARGAINING AGREEMENT--IFPTE. Appropriations in this act reflect the collective bargaining agreement reached between the governor and the international federation of professional and technical engineers under the provisions of chapter 41.80 RCW. For employees covered under this agreement, provisions include a 1.6% salary increase effective July 1, 2007, which continues the increase that went into effect July 1, 2006, and is set to terminate June 30, 2007. Also included is a 3.2% salary increase effective July 1, 2007, and a 2% salary increase effective July 1, 2008. Select classifications will receive wage increases due to the implementation of the department of personnel's 2006 salary survey for classes more than 25% below market rates. These increases will be effective July 1, 2007. All employees covered under the agreement that have been at the top step of their range for a year or longer will progress to a new step L effective July 1, 2007."

Representatives Clibborn and Jarrett spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Warnick moved the adoption of amendment (463):

On page 32, after line 4, insert the following:
"One Washington Road Fund--State Appropriation \$1,050,000,000"

On page 32, line 5, increase the total by \$1,050,000,000

On page 36, after line 7, insert the following:
"(23) \$1,050,000,000 from the one Washington road fund--state appropriation is provided solely for the following projects:

- (a) \$250,000,000 for the North South Freeway in Spokane;
- (b) \$250,000,000 for the Columbia River Crossing;
- (c) \$250,000,000 for United States highway 2;
- (d) \$250,000,000 for interchange and highway improvements in northwest Washington in Whatcom and Skagit counties; and
- (e) \$50,000,000 for state route no. 17 widening from Ephrata to Moses Lake.

(24) The one Washington road fund--state appropriation includes up to \$1,050,000,000 in proceeds from the sale of bonds authorized in Senate House Bill No. 2394 (bonds for transportation)."

On page 65, after line 28, insert the following:

"NEW SECTION. Sec. 617. A new section is added to chapter 43.79 RCW to read as follows:

(1) The one Washington road fund is created in the state treasury. All receipts from taxes imposed under RCW 82.08.020 and 82.12.020 on materials, labor, equipment, contracts, and components used for constructing any state transportation project must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to pay for bonds authorized in section 8, chapter ..., Laws of 2007 (Substitute House Bill No. 2394).

(2) The department of revenue shall provide the state treasurer with the information regarding the amount of sales and use taxes available for deposit into the account on a quarterly basis. The department of revenue shall report annually on the account balance to the transportation committees of the legislature by March 1st."

Correct the title.

Representatives Warnick, Armstrong, Kristiansen, Schindler and Ericksen spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (463):

On page 32, line 15, after "March 19, 2007" insert ", except for: \$2,400,667,000 from the SR99/Alaskan Way Viaduct - Replacement project shall be reallocated to the following project:

- (a) Improvements in the interstate 405 corridor between interstate 5 and interstate 90, including but not limited to general purpose lane improvements, state route 167 and interstate 405

interchange improvements, and other improvements to improve safety and mobility in the corridor"

Representatives Anderson, Sump spoke in favor of the adoption of the amendment.

Representative Hudgins spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (461):

On page 35, on line 28, after "(21)" strike all material through "construction" on page 36, line 7 and insert the following:
"If, by June 30, 2007, no decision is reached regarding the preferred alternative design for the Alaskan Way viaduct and seawall replacement project, the legislature shall reprioritize allocations of transportation partnership account funding from the Alaskan Way viaduct project to other projects so that complete and functioning transportation projects can be constructed in a reasonable time"

Representatives Schindler and Schindler (again) spoke in favor of the adoption of the amendment.

Representatives Dickerson and Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Clibborn moved the adoption of amendment (447):

On page 36, after line 7, insert the following:
"(23) Within the amounts provided in this section, \$11,039,945 of the transportation 2003 account (nickel)--state appropriation, \$11,798,042 of the transportation partnership account--state appropriation, and \$3,986,249 of the motor vehicle account--federal appropriation are provided for project 152219A as identified in the LEAP transportation document in subsection (2) of this section: SR 522/University of Washington Bothell - Build Interchange. If Substitute House Bill No. 1092 (capital budget) is enacted without new appropriations for this project, increases in cost for this project shall be eligible for a transfer from the management reserve."

Representatives Clibborn and Jarrett spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Pearson moved the adoption of amendment (455):

On page 36, after line 7, insert "(23) The department shall contract for an independent study conducted by a recognized expert in the field to determine if cable barriers are appropriate for use on

Washington highways. The department shall not construct or install any cable barriers until this study is reviewed, approved, and, if necessary, implemented by the legislature."

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

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Rolfes moved the adoption of amendment (457):

On page 38, line 23, after "of this act." insert the following "The department may use funds from systemwide projects in the LEAP transportation document 2007-1, dated March 19, 2007, for productive community conversations regarding terminal improvement projects."

Representatives Rolfes and Jarrett spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Ericksen moved the adoption of amendment (460):

On page 57, beginning on line 9, strike all of section 605

Renumber the remaining sections consecutively and correct an internal references accordingly

Representatives Ericksen, Schindler spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ericksen moved the adoption of amendment (465):

On page 65, after line 28, insert the following:

"NEW SECTION. Sec. 617. (1) For the period from July 1, 2007, until June 30, 2009, the amount of \$500,000 is appropriated from the motor vehicle account and \$500,000 is appropriated from the transportation partnership account and \$500,000 is appropriated from the transportation 2003 account (nickel account) and \$500,000 is appropriated from the multimodal account to the state auditor's office for the purposes of subsections (2) through (9) of this section.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-

related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so that citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For the purposes of this section:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, the traffic safety commission, the Washington state patrol, the department of licensing, and the transportation commission are considered transportation-related agencies.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that includes generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs including, but not limited to, environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report must include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the transportation performance audit board, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan must provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes that action is not required, then the action plan must include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings."

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

Representative Hunter spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

Representatives Clibborn, Jarrett, Sells, Flannigan and Dunn spoke in favor of passage of the bill.

COLLOQUY

Representative Curtis: "Madame Chair, does the additional \$17 million in funding for SR 14 contained in the LEAP list require a roundabout?"

Representative Clibborn: "No. The additional funding helps cover cost increases and enable the state, port and cities affected by the project to continue working on the design of the project."

Representatives Ericksen and Sump spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1094.

MOTION

On motion of Representative Schindler, Representative Ahern was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1094 and the bill passed the House by the following vote: Yeas - 81, Nays - 16, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Barlow, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 81.

Voting nay: Representatives Armstrong, Bailey, Buri, Condotta, Crouse, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, Pearson, Schindler, Strow, Sump and Warnick - 16.

Excused: Representative Ahern - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094, having received the necessary constitutional majority, was declared passed.

RESOLUTION

HOUSE RESOLUTION NO. 2007-4648, By Representatives B. Sullivan, Lovick, Sells, Hudgins, Springer, Williams, Walsh, Pearson, O'Brien, Warnick, Lantz, Takko, Dunshee, P. Sullivan and Conway

WHEREAS, March 31, 2007, is the 74th anniversary of the signing by President Franklin D. Roosevelt of the law historically known as the Emergency Conservation Work Act, a precursor of the 1937 law that established the Civilian Conservation Corps (CCC) and helped alleviate some of the horrific unemployment of the Great Depression; and

WHEREAS, Between 1933 and 1942, the CCC provided employment and vocational training nationwide in the conservation and development of natural resources, the protection of forests, and the construction and maintenance of military reservations to more than 3,000,000 men, including unemployed youths, more than 250,000 veterans of the Spanish-American War and World War I, and more than 80,000 Native Americans; and

WHEREAS, The CCC spent more than \$76 million in Washington and provided work for 73,300 men, including 51,300 Washington state residents; and

WHEREAS, The CCC left the nation a legacy in the form of 3,000,000,000 new trees, 800 state parks, 8,452 improved beaches, and 405,037 signs, markers, and monuments; and

WHEREAS, The CCC constructed 125,000 miles of road and strung 89,000 miles of telephone line; and

WHEREAS, The CCC restored and improved the natural environment with the revegetation of 814,000 acres of range, the stocking of 972 million fish, and mosquito control on 248,000 acres of land; and

WHEREAS, The CCC performed 8 million days of firefighting with Camp North Bend in Washington state among those camps developing an excellent reputation for fighting forest fires; and

WHEREAS, The CCC contributed to the creation or improvement of 11 state parks in Washington such as Deception Pass, Beacon Rock, Ginkgo Petrified Forest, and Saltwater State Park, and Governor Christine Gregoire will proclaim Civilian Conservation Corps Day in Washington state on March 31, 2007;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognize how the work of the Civilian Conservation Corps has benefited succeeding generations in Washington and express appreciation for the rich heritage left to those who enjoy the outdoor life in our state.

Representative B. Sullivan moved the adoption of the resolution.

Representatives B. Sullivan and Haler spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4648 was adopted.

SECOND READING

HOUSE BILL NO. 2394, By Representatives Clibborn, Jarrett, Kenney and Moeller

Requesting the issuance and sale of general obligation bonds for transportation improvements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2394 was substituted for House Bill No. 2394 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2394 was read the second time.

With the consent of the House, amendment (467) was withdrawn.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2394.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2394 and the bill passed the House by the following vote: Yeas - 82, Nays - 15, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Barlow, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 82.

Voting nay: Representatives Armstrong, Bailey, Buri, Condotta, Crouse, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, Pearson, Schindler, Sump and Warnick - 15.

Excused: Representative Ahern - 1.

SUBSTITUTE HOUSE BILL NO. 2394, having received the necessary two-thirds majority, was declared passed.

HOUSE BILL NO. 1128, By Representative Sommers; by request of Governor Gregoire

Making operating appropriations for 2007-2009.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1128 was substituted for House Bill No. 1128 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1128 was read the second time.

With the consent of the House, amendments (451), (458), (448) and (456) were withdrawn.

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

Representatives Sommers, Dunshee, Eickmeyer, Campbell and Kessler spoke in favor of passage of the bill.

Representatives Alexander, Armstrong, Walsh, Priest and DeBolt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1128.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1128 and the bill passed the House by the following vote: Yeas - 62, Nays - 35, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 62.

Voting nay: Representatives Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Jarrett, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Simpson, Skinner, Strow, Sump, Walsh and Warnick - 35.

Excused: Representative Ahern - 1.

SUBSTITUTE HOUSE BILL NO. 1128, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1092, By Representatives Fromhold, McDonald, Ormsby, Blake, Moeller and Wallace; by request of Governor Gregoire

Making appropriations and authorizing expenditures for capital improvements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1092 was substituted for House Bill No. 1092 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1092 was read the second time.

With the consent of the House, amendment (452) was withdrawn.

Representative McDonald moved the adoption of amendment (468):

On page 20, line 2, reduce the state taxable building construction account--state appropriation by \$10,000,000

On page 20, line 5, correct the total

On page 70, after line 10, insert

"NEW SECTION. Sec. 2095. FOR THE DEPARTMENT OF CORRECTIONS

Local Criminal Justice Facilities (08-4-850)

Appropriation:

State Building Construction Account--State	...	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
Total	\$10,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for grants to local governments for jail capacity expansion projects. These may include modifications and improvements to existing facilities that result in increasing capacity as well as design and construction of new facilities. Grants provided in this section shall be limited to up to \$1,000,000 per jurisdiction.

(2) The department of corrections, in consultation with the Washington association of sheriffs and police chiefs, shall develop criteria for allocating moneys appropriated in this section to local governments."

Renumber remaining sections consecutively

Correct title and internal references accordingly

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

Representative Fromhold spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (468) to Substitute House Bill No. 1092.

ROLL CALL

The Clerk called the roll on the adoption of amendment (468) to Substitute House Bill No. 1092, and the amendment was not adopted by the following vote: Yeas - 44, Nays - 53, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Goodman, Green, Hailey, Haler, Hankins, Hinkle, Hurst, Jarrett, Kelley, Kretz, Kristiansen, Lantz, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Rolfes, Ross, Schindler, Seaquist, Skinner, Strow, Van De Wege, Wallace, Walsh and Warnick - 44.

Voting nay: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kirby, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Williams, Wood and Mr. Speaker - 53.

Excused: Representative Ahern - 1.

Representative Pedersen moved the adoption of amendment (453):

On page 235, line 20, after "2007." strike everything through the end of line 21.

Representatives Pedersen and Fromhold spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Pearson moved the adoption of amendment (454):

On page 120, beginning on line 5, insert "(4) \$388,000 of the appropriation for the Mt. St. Helens/Toutle River enhancement is contingent upon the department of fish and wildlife issuing permits for hydraulic project approvals for flood control projects on private property in water resources inventory areas 3, 4, 5, and 7, which are substantially equivalent in both average and miles of stream bank protected."

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

Representative Fromhold spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

Representatives Fromhold, McDonald, Newhouse, Schual-Berke and Orcutt spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1092.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1092 and the bill passed the House by the following vote: Yeas - 93, Nays - 4, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 93.

Voting nay: Representatives Dunn, Kretz, Kristiansen and Sump - 4.

Excused: Representative Ahern - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1092, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1138, By Representatives Fromhold, McDonald, Ormsby and Moeller; by request of Office of Financial Management

Concerning general obligation bonds.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1138 was substituted for House Bill No. 1138 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1138 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 Fromhold and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1138.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1138 and the bill passed the House by the following vote: Yeas - 93, Nays - 4, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 93.

Voting nay: Representatives Dunn, Kretz, Kristiansen and Sump - 4.

Excused: Representative Ahern - 1.

SUBSTITUTE HOUSE BILL NO. 1138, having received the necessary constitutional majority, was declared passed.

SIGNED BY THE SPEAKER

The Speaker signed:

ENGROSSED HOUSE BILL NO. 1460,

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

There being no objection, the House adjourned until 9:55 a.m., March 27, 2007, the 79th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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