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## FIFTY FOURTH DAY

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House Chamber, Olympia, Friday, March 2, 2012

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

March 1, 2012

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katie Kelly and Maverick Ryan. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by former Campus Minister at the Evergreen State College Joan Cathy, Community Presbyterian Church in Tillicum, Washington.

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

### SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced Valery Chkalov and his son Igor to the Chamber and asked the members to acknowledge them.

The Speaker (Representative Moeller presiding) also introduced University of Washington Professor David Olson and asked the members to acknowledge him.

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:

SUBSTITUTE SENATE BILL NO. 6253  
SENATE BILL NO. 6256

### MESSAGES FROM THE SENATE

March 1, 2012

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2210  
SECOND SUBSTITUTE HOUSE BILL NO. 2216  
ENGROSSED HOUSE BILL NO. 2671

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

March 1, 2012

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2328  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545

and the same are herewith transmitted.

Thomas Hoemann, Secretary

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5381  
SUBSTITUTE SENATE BILL NO. 5412  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5895  
SUBSTITUTE SENATE BILL NO. 5966  
SUBSTITUTE SENATE BILL NO. 6038  
SENATE BILL NO. 6095  
SENATE BILL NO. 6131  
SUBSTITUTE SENATE BILL NO. 6387  
SUBSTITUTE SENATE BILL NO. 6421  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6445

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

March 1, 2012

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2212  
HOUSE BILL NO. 2224  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2238  
SUBSTITUTE HOUSE BILL NO. 2312  
HOUSE BILL NO. 2420  
HOUSE BILL NO. 2523  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2747

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

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

### INTRODUCTIONS AND FIRST READING

HB 2816 by Representative Kelley

AN ACT Relating to intercepting geolocation information; adding a new section to chapter 9.73 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

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

### SECOND READING

**SENATE BILL NO. 6082, by Senators Haugen, Swecker, Hatfield, King, Ericksen, Honeyford, Shin and Parlette**

**Regarding the preservation and conservation of agricultural resource lands.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 44, February 21, 2012).

With the consent of the house, amendment (1237) to the committee amendment was withdrawn.

Representative Bailey moved the adoption of amendment (1289) to the committee amendment:

On page 1, line 7 of the amendment, after "36.70A RCW." insert "The review and update shall ensure that the checklist is adequate to allow for consideration of impacts on adjacent agricultural properties, drainage patterns, agricultural soils, and normal agricultural operations."

Representatives Bailey and Upthegrove spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1289) was adopted.

The committee amendment was adopted as amended.

Representative Taylor moved the adoption of amendment (1223).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 43.21C RCW to read as follows:

A city or county may adopt additional questions to add to the environmental checklist form in WAC 197-11-960 to implement planning under chapter 36.70A RCW to address localized impacts on agricultural lands. The department of ecology shall accept any such questions added by a city or county."

Correct the title.

Representative Taylor and Taylor (again) spoke in favor of the adoption of the striking amendment..

Representative Upthegrove spoke against the adoption of the striking amendment.

Amendment (1223) was not adopted.

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

Representatives Upthegrove and Bailey spoke in favor of the passage of the bill.

Representatives Short and Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6082, as amended by the House.

#### MOTION

On motion of Representative Hinkle, Representative Anderson was excused.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6082, as amended by the House, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kelley, Kenney, Kirby, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Angel, Armstrong, Asay, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeyer, Fagan, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Klippert, Kretz, McCune, Nealey, Orcutt, Overstreet, Parker, Rivers, Rodne, Ross, Schmick, Shea, Short, Taylor, Walsh, Warnick and Wilcox.

Excused: Representative Anderson.

SENATE BILL NO. 6082, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5159, by Senators Schoesler, Conway, Fain, Holmquist Newbry, Carrell, Murray, Becker, Haugen, Hobbs, Pridemore, Rockefeller, Roach, McAuliffe and Kilmer**

**Authorizing the transfer of service credit and contributions into the Washington state patrol retirement system by members who served as commercial vehicle enforcement officers and communications officers and then became commissioned troopers in the Washington state patrol.**

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.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5159.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5159, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeyer, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey,

Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Anderson.

ENGROSSED SENATE BILL NO. 5159, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6386, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Becker, Zarelli, Hargrove, Delvin, Schoesler, Honeyford and Keiser)**

**Enacting measures to reduce public assistance fraud.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means was adopted. (For Committee amendment, see Journal, Day 50, February 27, 2012).

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

Representatives Kagi and Walsh 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 Senate Bill No. 6386, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6386, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Anderson.

SUBSTITUTE SENATE BILL NO. 6386, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 6215, by Senators Frockt, Kline, Nelson, Kohl-Welles and Conway**

**Establishing an optional transportation benefit district rebate program for low-income individuals.**

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 Clibborn and Dickerson spoke in favor of the passage of the bill.

Representative Armstrong spoke against passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6215.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6215, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Reykdal, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Anderson.

ENGROSSED SENATE BILL NO. 6215, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 5343, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Haugen, Delvin, Hatfield, Honeyford, Becker, Shin and Schoesler)**

**Concerning air emissions from anaerobic digesters.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government Appropriations & Oversight was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 46, February 23, 2012).

With the consent of the house, amendments (1282) and (1279) to the committee amendment were withdrawn.

Representative Liias moved the adoption of amendment (1285) to the committee amendment:

On page 1, line 7 of the striking amendment, after "that" insert "is in operation on the effective date of this act and"

On page 1, line 9 of the striking amendment, after "is" strike "not bound by" and insert "granted an extended compliance period for"

On page 1, line 11 of the striking amendment, after "December 31," strike "2018" and insert "2016"

On page 1, beginning on line 12 of the striking amendment, after "that" strike all material through "Is" on line 13 and insert "is"

On page 1, beginning on line 14 of the striking amendment, after "RCW 70.95.330" strike all material through "days" on line 16

Representatives Liias and Short spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1285) was adopted.

The committee amendment was adopted as amended.

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

Representatives Upthegrove, Short, Taylor, Morris and Bailey 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 Senate Bill No. 5343, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5343, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Anderson.

SECOND SUBSTITUTE SENATE BILL NO. 5343, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6253, by Senate Committee on Judiciary (originally sponsored by Senators Eide, Kline, Regala, Shin, Kohl-Welles, Litzow, Chase, Stevens, Nelson, Keiser, Roach and Conway)**

**Concerning seizure and forfeiture of property in commercial sexual abuse of a minor and promoting prostitution in the first degree crimes. Revised for 1st Substitute: Concerning seizure and forfeiture of property in commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, and promoting prostitution in the first degree crimes.**

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 Hurst and Pearson 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 Senate Bill No. 6253.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6253, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Anderson.

SUBSTITUTE SENATE BILL NO. 6253, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6256, by Senators Conway, Delvin, Roach, Chase, Kohl-Welles, Eide, Litzow, Fraser, Stevens, Pflug, Regala, Nelson, Keiser and Holmquist Newbry**

**Adding commercial sexual abuse of a minor to the list of criminal street gang-related offenses.**

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 Hurst and Pearson 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 Senate Bill No. 6256.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6256, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle,

Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Anderson.

SENATE BILL NO. 6256, having received the necessary constitutional majority, was declared passed.

**MESSAGES FROM THE SENATE**

March 2, 2012

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5950  
 SUBSTITUTE SENATE BILL NO. 6598  
 SUBSTITUTE SENATE BILL NO. 6600

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary  
 March 2, 2012

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2239  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2301

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

**SECOND READING**

**SUBSTITUTE SENATE BILL NO. 6041, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Rolfes and Hobbs)**

**Regarding lighthouse school programs.**

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 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 Substitute Senate Bill No. 6041.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6041, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle,

Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Shea.

Excused: Representative Anderson.

SUBSTITUTE SENATE BILL NO. 6041, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on Substitute Senate Bill No. 6041.

Representative McCune, 2nd District

**SUBSTITUTE SENATE BILL NO. 6240, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Hargrove, Kline, Carrell and Harper)**

**Modifying provisions relating to orders of disposition for juveniles.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 44, February 21, 2012).

Representative Goodman moved the adoption of amendment (1264) to the committee amendment:

On page 7, line 21 of the striking amendment, after "if" insert "restitution has been paid and"

Representatives Goodman and Walsh spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1264) was adopted.

Representative Goodman moved the adoption of amendment (1293) to the committee amendment.

On page 11, after line 21 of the amendment, insert the following: "**Sec. 4.** RCW 13.40.0357 and 2008 c 230 s 3 and 2008 c 158 s 1 are each reenacted and amended to read as follows:

**DESCRIPTION AND OFFENSE CATEGORY**

		JUVENILE DISPOSITION
JUVENILE		CATEGORY FOR
DISPOSITION		ATTEMPT, BAILJUMP,
OFFENSE		CONSPIRACY, OR
CATEGORY	DESCRIPTION (RCW CITATION)	SOLICITATION

**Arson and Malicious Mischief**

A	Arson 1 (9A.48.020)		C	Illegally Obtaining Legend Drug (69.41.020)	D
B	Arson 2 (9A.48.030)	B+	C+	Sale, Delivery, Possession of Legend Drug with Intent to Sell (69.41.030(2)(a))	D+
C	Reckless Burning 1 (9A.48.040)	C	E	Possession of Legend Drug (69.41.030(2)(b))	E
D	Reckless Burning 2 (9A.48.050)	D	B+	Violation of Uniform Controlled Substances Act - Narcotic, Methamphetamine, or Flunitrazepam Sale (69.50.401(2) (a) or (b))	B+
B	Malicious Mischief 1 (9A.48.070)	E	C	Violation of Uniform Controlled Substances Act - Nonnarcotic Sale (69.50.401(2)(c))	C
C	Malicious Mischief 2 (9A.48.080)	C	C	Possession of Marijuana <40 grams (69.50.4014)	E
D	Malicious Mischief 3 (9A.48.090((2)(a) and (e)))	D	E	Fraudulently Obtaining Controlled Substance (69.50.403)	C
(E)	Malicious Mischief 3 (9A.48.090(2)(b))	E	C+	Sale of Controlled Substance for Profit (69.50.410)	C+
E	Tampering with Fire Alarm Apparatus (9.40.100)	E)	E	Unlawful Inhalation (9.47A.020)	E
E	Tampering with Fire Alarm Apparatus with Intent to Commit Arson (9.40.105)	E	B	Violation of Uniform Controlled Substances Act - Narcotic, Methamphetamine, or Flunitrazepam Counterfeit Substances (69.50.4011(2) (a) or (b))	B
A	Possession of Incendiary Device (9.40.120)	B+	C	Violation of Uniform Controlled Substances Act - Nonnarcotic Counterfeit Substances (69.50.4011(2) (c), (d), or (e))	C
	<b>Assault and Other Crimes Involving Physical Harm</b>		C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance (69.50.4013)	C
A	Assault 1 (9A.36.011)	B+	C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance (69.50.4012)	C
B+	Assault 2 (9A.36.021)	C+		<b>Firearms and Weapons</b>	
C+	Assault 3 (9A.36.031)	D+	B	Theft of Firearm (9A.56.300)	C
D+	Assault 4 (9A.36.041)	E	B	Possession of Stolen Firearm (9A.56.310)	C
B+	Drive-By Shooting (9A.36.045)	C+	E	Carrying Loaded Pistol Without Permit (9.41.050)	E
D+	Reckless Endangerment (9A.36.050)	E	C	Possession of Firearms by Minor (<18) (9.41.040(2)(a)(iii))	C
C+	Promoting Suicide Attempt (9A.36.060)	D+	D+	Possession of Dangerous Weapon (9.41.250)	E
D+	Coercion (9A.36.070)	E	D	Intimidating Another Person by use of Weapon (9.41.270)	E
C+	Custodial Assault (9A.36.100)	D+		<b>Homicide</b>	
	<b>Burglary and Trespass</b>		A+	Murder 1 (9A.32.030)	A
B+	Burglary 1 (9A.52.020)	C+	A+	Murder 2 (9A.32.050)	B+
B	Residential Burglary (9A.52.025)	C	B+	Manslaughter 1 (9A.32.060)	C+
B	Burglary 2 (9A.52.030)	C	C+	Manslaughter 2 (9A.32.070)	D+
D	Burglary Tools (Possession of) (9A.52.060)	E	B+	Vehicular Homicide (46.61.520)	C+
D	Criminal Trespass 1 (9A.52.070)	E		<b>Kidnapping</b>	
E	Criminal Trespass 2 (9A.52.080)	E	A	Kidnap 1 (9A.40.020)	B+
C	Mineral Trespass (78.44.330)	E	B+	Kidnap 2 (9A.40.030)	C+
C	Vehicle Prowling 1 (9A.52.095)	C			
C	Vehicle Prowling 2 (9A.52.100)	D			
D		E			
	<b>Drugs</b>				
E	Possession/Consumption of Alcohol (66.44.270)	E			

C+	Unlawful Imprisonment (9A.40.040)	D+	C	Theft 2 (9A.56.040)	D
	<b>Obstructing Governmental Operation</b>		D	Theft 3 (9A.56.050)	E
D	Obstructing a Law Enforcement Officer (9A.76.020)	E	B	Theft of Livestock 1 and 2 (9A.56.080 and 9A.56.083)	C
E	Resisting Arrest (9A.76.040)	E	C	Forgery (9A.60.020)	D
B	Introducing Contraband 1 (9A.76.140)	C	A	Robbery 1 (9A.56.200)	B+
C	Introducing Contraband 2 (9A.76.150)	D	B+	Robbery 2 (9A.56.210)	C+
E	Introducing Contraband 3 (9A.76.160)	E	B+	Extortion 1 (9A.56.120)	C+
B+	Intimidating a Public Servant (9A.76.180)	C+	C+	Extortion 2 (9A.56.130)	D+
B+	Intimidating a Witness (9A.72.110)	C+	C	Identity Theft 1 (9.35.020(2))	D
	<b>Public Disturbance</b>		D	Identity Theft 2 (9.35.020(3))	E
C+	Riot with Weapon (9A.84.010(2)(b))	D+	D	Improperly Obtaining Financial Information (9.35.010)	E
D+	Riot Without Weapon (9A.84.010(2)(a))	E	B	Possession of a Stolen Vehicle (9A.56.068)	C
E	Failure to Disperse (9A.84.020)	E	B	Possession of Stolen Property 1 (9A.56.150)	C
E	Disorderly Conduct (9A.84.030)	E	C	Possession of Stolen Property 2 (9A.56.160)	D
	<b>Sex Crimes</b>		D	Possession of Stolen Property 3 (9A.56.170)	E
A	Rape 1 (9A.44.040)	B+	B	Taking Motor Vehicle Without Permission 1 (9A.56.070)	C
A-	Rape 2 (9A.44.050)	B+	C	Taking Motor Vehicle Without Permission 2 (9A.56.075)	D
C+	Rape 3 (9A.44.060)	D+	B	Theft of a Motor Vehicle (9A.56.065)	C
A-	Rape of a Child 1 (9A.44.073)	B+		<b>Motor Vehicle Related Crimes</b>	
B+	Rape of a Child 2 (9A.44.076)	C+	E	Driving Without a License (46.20.005)	E
B	Incest 1 (9A.64.020(1))	C	B+	Hit and Run - Death (46.52.020(4)(a))	C+
C	Incest 2 (9A.64.020(2))	D	C	Hit and Run - Injury (46.52.020(4)(b))	D
D+	Indecent Exposure (Victim <14) (9A.88.010)	E	D	Hit and Run-Attended (46.52.020(5))	E
E	Indecent Exposure (Victim 14 or over) (9A.88.010)	E	E	Hit and Run-Unattended (46.52.010)	E
B+	Promoting Prostitution 1 (9A.88.070)	C+	C	Vehicular Assault (46.61.522)	D
C+	Promoting Prostitution 2 (9A.88.080)	D+	C	Attempting to Elude Pursuing Police Vehicle (46.61.024)	D
E	O & A (Prostitution) (9A.88.030)	E	E	Reckless Driving (46.61.500)	E
B+	Indecent Liberties (9A.44.100)	C+	D	Driving While Under the Influence (46.61.502 and 46.61.504)	E
A-	Child Molestation 1 (9A.44.083)	B+	B+	Felony Driving While Under the Influence (46.61.502(6))	B
B	Child Molestation 2 (9A.44.086)	C+	B+	Felony Physical Control of a Vehicle While Under the Influence (46.61.504(6))	B
C	Failure to Register as a Sex Offender ((9A.44.130)) 9A.44.132)	D		<b>Other</b>	
	<b>Theft, Robbery, Extortion, and Forgery</b>		B	Animal Cruelty 1 (16.52.205)	C
B	Theft 1 (9A.56.030)	C	B	Bomb Threat (9.61.160)	C

C	Escape 1 <sup>1</sup> (9A.76.110)	C
C	Escape 2 <sup>1</sup> (9A.76.120)	C
D	Escape 3 (9A.76.130)	E
E	Obscene, Harassing, Etc., Phone Calls (9.61.230)	E
A	Other Offense Equivalent to an Adult Class A Felony	B+
B	Other Offense Equivalent to an Adult Class B Felony	C
C	Other Offense Equivalent to an Adult Class C Felony	D
D	Other Offense Equivalent to an Adult Gross Misdemeanor	E
E	Other Offense Equivalent to an Adult Misdemeanor	E
V	Violation of Order of Restitution, Community Supervision, or Confinement (13.40.200) <sup>2</sup>	V

<b>Current</b>	<b>B+</b>	15-36	52-65	80-100	103-129
<b>Offense</b>		<b>WEEKS</b>	<b>WEEKS</b>	<b>WEEK</b>	<b>WEEKS</b>
<b>Category</b>		<hr/>			
	<b>B</b>	<b>LOCAL</b>			52-65
		<b>SANCTIONS (LS)</b>	15-36		<b>WEEKS</b>
			<b>WEEKS</b>	<hr/>	
	<b>C+</b>	<b>LS</b>			
				15-36	
				<b>WEEKS</b>	
	<b>C</b>	<b>LS</b>			15-36
					<b>WEEKS</b>
			<hr/>		
		<b>Local Sanctions:</b>			
		0 to 30 Days			
	<b>D+</b>	<b>LS</b>	0 to 12 Months	Community Supervision	
			0 to 150 Hours	Community Restitution	
	<b>D</b>	<b>LS</b>	\$0 to \$500	Fine	
	<b>E</b>	<b>LS</b>			

<sup>1</sup>Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses and the standard range is established as follows:

1st escape or attempted escape during 12-month period - 4 weeks confinement

2nd escape or attempted escape during 12-month period - 8 weeks confinement

3rd and subsequent escape or attempted escape during 12-month period - 12 weeks confinement

<sup>2</sup>If the court finds that a respondent has violated terms of an order, it may impose a penalty of up to 30 days of confinement.

**JUVENILE SENTENCING STANDARDS**

This schedule must be used for juvenile offenders. The court may select sentencing option A, B, C, D, or RCW 13.40.167.

**((OPTION A  
JUVENILE OFFENDER  
SENTENCING GRID  
STANDARD RANGE**

A+ 180 WEEKS TO AGE 21 YEARS

---

A 103 WEEKS TO 129 WEEKS

---

A-	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS
	EXCEPT			
	30-40			
	WEEKS FOR			
	15-17			
	YEAR OLDS			

0      1      2      3      4  
or more  
PRIOR ADJUDICATIONS))

**OPTION A  
JUVENILE OFFENDER SENTENCING  
GRID  
STANDARD RANGE**

A 180 weeks to age 21 for all category A+ offenses

---

A 103-129 weeks for all category A offenses

A-	15-36 week	52-65 week	80-100 week	103-129 week	103-129 week
	s	s	s	s	s
	Exce				
	pt 30-				
	40				
	week				
	s				
	for 15				
	to 17				
	year				
	olds				

<u>CURRENT</u>	<u>B</u>	<u>15-36</u>	<u>15-</u>	<u>52-</u>	<u>80-</u>	<u>103-</u>	
	<u>±</u>	<u>week</u>	<u>36</u>	<u>65</u>	<u>100</u>	<u>129</u>	
<u>OFFENSE</u>	<u>B</u>	<u>LS</u>	<u>LS</u>	<u>15-</u>	<u>15-</u>	<u>52-</u>	
				<u>36</u>	<u>36</u>	<u>65</u>	
<u>CATEGORY</u>	<u>C</u>	<u>LS</u>	<u>LS</u>	<u>LS</u>	<u>15-</u>	<u>15-</u>	
	<u>±</u>				<u>36</u>	<u>36</u>	
<u>PRIOR</u>	<u>ADJUDICATIO</u>	<u>NS</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4 or</u>
							<u>more</u>

NOTE: References in the grid to days or weeks mean periods of confinement. "LS" means "local sanctions" as defined in RCW 13.40.020.

(1) The vertical axis of the grid is the current offense category. The current offense category is determined by the offense of adjudication.

(2) The horizontal axis of the grid is the number of prior adjudications included in the juvenile's criminal history. Each prior felony adjudication shall count as one point. Each prior violation, misdemeanor, and gross misdemeanor adjudication shall count as 1/4 point. Fractional points shall be rounded down.

(3) The standard range disposition for each offense is determined by the intersection of the column defined by the prior adjudications and the row defined by the current offense category.

(4) RCW 13.40.180 applies if the offender is being sentenced for more than one offense.

(5) A current offense that is a violation is equivalent to an offense category of E. However, a disposition for a violation shall not include confinement.

OR

**OPTION B  
SUSPENDED DISPOSITION ALTERNATIVE**

(1) If the offender is subject to a standard range disposition involving confinement by the department, the court may impose the standard range and suspend the disposition on condition that the offender comply with one or more local sanctions and any educational or treatment requirement. The treatment programs provided to the offender must be either research-based best practice programs as identified by the Washington state institute for public policy or the joint legislative audit and review committee, or for chemical dependency treatment programs or services, they must be evidence-based or research-based best practice programs. For the purposes of this subsection:

(a) "Evidence-based" means a program or practice that has had multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population; and

(b) "Research-based" means a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

(2) If the offender fails to comply with the suspended disposition, the court may impose sanctions pursuant to RCW 13.40.200 or may revoke the suspended disposition and order the disposition's execution.

(3) An offender is ineligible for the suspended disposition option under this section if the offender is:

(a) Adjudicated of an A+ offense;

(b) Fourteen years of age or older and is adjudicated of one or more of the following offenses:

(i) A class A offense, or an attempt, conspiracy, or solicitation to commit a class A offense;

(ii) Manslaughter in the first degree (RCW 9A.32.060); or

(iii) Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (RCW 69.50.401 (2)(a) and (b)), or manslaughter 2 (RCW 9A.32.070), when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon;

(c) Ordered to serve a disposition for a firearm violation under RCW 13.40.193; or

(d) Adjudicated of a sex offense as defined in RCW 9.94A.030.

OR

**OPTION C  
CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

If the juvenile offender is subject to a standard range disposition of local sanctions or 15 to 36 weeks of confinement and has not committed an A- or B+ offense, the court may impose a disposition under RCW 13.40.160(4) and 13.40.165.

OR

**OPTION D  
MANIFEST INJUSTICE**

If the court determines that a disposition under option A, B, or C would effectuate a manifest injustice, the court shall impose a disposition outside the standard range under RCW 13.40.160(2)."

Representatives Goodman and Walsh spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1293) was adopted.

The committee amendment was adopted as amended.

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

Representatives Goodman and Walsh 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 Senate Bill No. 6240, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6240, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Anderson.

SUBSTITUTE SENATE BILL NO. 6240, as amended by the House, having received the necessary constitutional majority, was declared passed.

### **SENATE JOINT RESOLUTION NO. 8223, by Senators Kilmer, Schoesler, Tom, Murray, Harper, Conway, Shin and McAuliffe**

**Amending the Constitution to provide clear authority to state research universities to invest funds as authorized by law, including investment in stocks or bonds issued by any company.**

The joint resolution was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 50, February 27, 2012).

Representative Hasegawa moved the adoption of amendment (1294) to the committee amendment:

On page 1, line 18 of the amendment, after "law" insert ", and if invested pursuant to this subsection, shall be invested in a manner exclusively intended to promote positive short-term or long-term effects upon any or all of the people, communities, businesses, or environment of the state of Washington"

Representative Hasegawa spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Hunter and Haler spoke against the adoption of the amendment to the committee amendment.

Amendment (1294) was not adopted.

The committee amendment was adopted.

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

Representatives Carlyle, Haler and Seaquist spoke in favor of the passage of the bill.

Representative Hasegawa spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Joint Resolution No. 8223, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 8223, as amended by the House, and the joint resolution passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Schmick, Seaquist, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Hasegawa, McCune, Santos and Sells.

Excused: Representative Anderson.

SENATE JOINT RESOLUTION NO. 8223, as amended by the House, having received the necessary constitutional majority, was declared passed.

### **SUBSTITUTE SENATE BILL NO. 6468, by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Schoesler, Tom, Murray, Harper, Conway and Shin)**

**Requiring state research universities to adopt policies governing investment of university funds, consistent with the uniform prudent management of institutional funds act, and requiring annual investment performance reports. Revised for 1st Substitute: Requiring state research universities to adopt policies governing investment of university funds.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 50, February 27, 2012).

Representative Hasegawa moved the adoption of amendment (1296) to the committee amendment:

On page 1, line 12 of the striking amendment, after "RCW 43.33A.140" insert "and in a manner intended to promote positive short-term or long-term effects upon any or all of the people, communities, businesses, or environment of the state of Washington"

On page 1, after line 19 of the striking amendment, insert the following:

"**Sec. 2.** RCW 43.33A.110 and 1994 c 154 s 310 are each amended to read as follows:

(1) The state investment board may make appropriate rules and regulations for the performance of its duties. The board shall establish investment policies and procedures designed exclusively to maximize return at a prudent level of risk. However((;));

(a) In the case of the department of labor and industries' accident, medical aid, and reserve funds, the board shall establish investment policies and procedures designed to attempt to limit fluctuations in industrial insurance premiums and, subject to this purpose, to maximize return at a prudent level of risk; and

(b) In the case of the University of Washington and Washington State University operating funds investment accounts, the board shall establish investment policies and procedures designed to promote positive short-term or long-term effects upon any or all of the people, communities, businesses, or environment of the state of Washington.

(2) The board shall adopt rules to ensure that its members perform their functions in compliance with chapter 42.52 RCW.

(3) Rules adopted by the board shall be adopted pursuant to chapter 34.05 RCW."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representative Hasegawa and Hasegawa (again) spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Hunter and Haler spoke against the adoption of the amendment to the committee amendment.

Amendment (1296) was not adopted.

The committee amendment was adopted.

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

Representatives Carlyle and Haler 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 Senate Bill No. 6468, as amended by the House.

#### MOTION

On motion of Representative Hinkle, Representatives Ahern and DeBolt were excused.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6468, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon,

Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Hasegawa.

Excused: Representatives Ahern, Anderson and DeBolt.

SUBSTITUTE SENATE BILL NO. 6468, as amended by the House, 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:

SUBSTITUTE SENATE BILL NO. 6138

HOUSE BILL NO. 2190

SUBSTITUTE SENATE BILL NO. 6444

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

#### SECOND READING

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5188, by Senate Committee on Transportation (originally sponsored by Senators Becker, Haugen, Swecker, Stevens, King, Fain, Delvin, Holmquist Newbry, Honeyford and Hewitt)**

**Harmonizing certain traffic control signal provisions relative to yellow change intervals and certain fine amount limitations. Revised for 2nd Substitute: Harmonizing certain traffic control signal provisions relative to yellow change intervals, certain fine amount limitations, and certain signage and reporting requirements.**

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 Lytton and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5188.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5188, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler,

Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Anderson.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5188, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6138, by Senate Committee on Transportation (originally sponsored by Senator Ericksen)**

**Increasing the allowable maximum length for vehicles operated on public highways.**

The bill was read the second time.

Representative Hasegawa moved the adoption of amendment (1298).

On page 1, line 8, after "of" strike "forty-six" and insert "forty"

On page 1, line 9, after "vehicle," strike "or"

On page 1, beginning on line 9, after "(2)" strike "~~(auto stage, private carrier bus, school bus, or motor home with an overall length not to exceed forty six feet, or (3))~~" and insert "auto stage, private carrier bus, school bus, or motor home with an overall length not to exceed forty-six feet, ~~((3))~~ (3)"

On page 1, line 12, after "feet" insert ", or (4) an auto recycling carrier up to forty-two feet in length manufactured prior to 2005"

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

Representative Armstrong spoke against the adoption of the amendment.

Amendment (1298) was adopted.

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

Representatives Clibborn and Overstreet 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 Senate Bill No. 6138, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6138, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Anderson.

SUBSTITUTE SENATE BILL NO. 6138, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 6120, by Senate Committee on Ways & Means (originally sponsored by Senators Nelson, Swecker, Harper, Hargrove, Kohl-Welles, Fraser, Kastama, Pridemore, Rolfes, Frockt, Ranker, Regala, Shin, Tom, Kline, Chase, Keiser and Conway)**

**Concerning children's safe products.**

The bill was read the second time.

There being no objection, the House deferred action on SECOND SUBSTITUTE SENATE BILL NO. 6120, and the bill held its place on the second reading calendar.

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

There being no objection, the House adjourned until 12:30 p.m., March 3, 2012, the 55th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

2190	Other Action .....	11
2210	Messages .....	1
2212-S	Messages .....	1
2216-S2	Messages .....	1
2224	Messages .....	1
2238-S2	Messages .....	1
2239-S	Messages .....	5
2301-S	Messages .....	5
2312-S	Messages .....	1
2328	Messages .....	1
2420	Messages .....	1
2523	Messages .....	1
2545-S	Messages .....	1
2671	Messages .....	1
2747-S	Messages .....	1
2816	Introduction & 1st Reading .....	1
5159	Second Reading .....	2
	Third Reading Final Passage .....	3
5188-S2	Second Reading .....	11
	Third Reading Final Passage .....	12
5343-S2	Second Reading .....	3
	Amendment Offered .....	3
	Third Reading Final Passage .....	4
5381-S	Messages .....	1
5412-S	Messages .....	1
5895-S	Messages .....	1
5950	Messages .....	5
5966-S	Messages .....	1
6038-S	Messages .....	1
6041-S	Second Reading .....	5
	Third Reading Final Passage .....	5
6082	Second Reading .....	1
	Amendment Offered .....	2
	Third Reading Final Passage .....	2
6095	Messages .....	1
6120	Other Action .....	12

6120-S2	
Second Reading.....	12
6131	
Messages .....	1
6138-S	
Second Reading.....	12
Amendment Offered.....	12
Third Reading Final Passage.....	12
Other Action.....	11
6215	
Second Reading.....	3
Third Reading Final Passage.....	3
6240-S	
Second Reading.....	5
Amendment Offered.....	5
Third Reading Final Passage.....	10
6253-S	
Second Reading.....	4
Third Reading Final Passage.....	4
Other Action.....	1
6256	
Second Reading.....	4
Third Reading Final Passage.....	5
Other Action.....	1
6386-S	
Second Reading.....	3
Third Reading Final Passage.....	3
6387-S	
Messages .....	1
6421-S	
Messages .....	1
6444-S	
Other Action.....	11
6445-S	
Messages .....	1
6468-S	
Second Reading.....	10
Amendment Offered.....	10
Third Reading Final Passage.....	11
6598-S	
Messages .....	5
6600-S	
Messages .....	5
8223	
Second Reading.....	10
Amendment Offered.....	10
Third Reading Final Passage.....	10
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