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## FIFTY SECOND DAY

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House Chamber, Olympia, Wednesday, March 6, 2013

as not found

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sequoyah Stitt and Hannah Cherry. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Karl Alsin, Hope Community Church, Olympia Washington.

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

### MESSAGES FROM THE SENATE

March 5, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5157  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5563  
ENGROSSED SENATE BILL NO. 5607  
ENGROSSED SENATE BILL NO. 5620  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5723

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 5, 2013

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5081  
SUBSTITUTE SENATE BILL NO. 5100  
SUBSTITUTE SENATE BILL NO. 5119  
SENATE BILL NO. 5149  
SENATE BILL NO. 5207  
SUBSTITUTE SENATE BILL NO. 5227  
SUBSTITUTE SENATE BILL NO. 5316  
SUBSTITUTE SENATE BILL NO. 5399  
SENATE BILL NO. 5446  
SENATE BILL NO. 5516  
SUBSTITUTE SENATE BILL NO. 5556  
SENATE BILL NO. 5558  
SUBSTITUTE SENATE BILL NO. 5601  
SENATE BILL NO. 5606  
SENATE BILL NO. 5712  
SENATE BILL NO. 5810

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

### INTRODUCTIONS AND FIRST READING

HB 1977 by Representative Upthegrove

AN ACT Relating to promoting renewable energy; amending RCW 19.285.040, 82.16.110, 82.16.120, and 82.16.130; reenacting and amending RCW 19.285.030; adding a new section to chapter 80.28 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Environment.

HB 1978 by Representatives Zeiger, Clibborn, Orcutt, O'Ban, Hargrove, Liias, Fey and Moscoso

AN ACT Relating to permitting certain transportation projects; adding a new chapter to Title 47 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 1979 by Representatives Zeiger, Liias, Clibborn, Kretz, Hargrove, Fitzgibbon, Upthegrove and O'Ban

AN ACT Relating to implementing public-private partnership best practices for nontoll transportation projects; amending RCW 47.29.010, 47.29.030, 47.29.060, 47.29.140, 47.29.150, 47.29.170, 47.29.180, 47.29.280, 39.10.300, and 47.12.080; reenacting and amending RCW 39.08.010; adding a new section to chapter 47.29 RCW; adding a new section to chapter 39.10 RCW; and adding a new section to chapter 39.04 RCW.

Referred to Committee on Transportation.

HB 1980 by Representative Schmick

AN ACT Relating to reporting the location of human remains; adding a new section to chapter 68.50 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5069 by Senators Schoesler, Hewitt and Kohl-Welles

AN ACT Relating to increasing the number of superior court judges in Benton and Franklin counties jointly; amending RCW 2.08.064; and creating a new section.

Referred to Committee on Judiciary.

SB 5114 by Senators Bailey, Hobbs, Roach, Becker, Carrell, Dammeier, Benton, Honeyford, Padden and King

AN ACT Relating to access to K-12 campuses for occupational or educational information; and amending RCW 28A.230.180.

Referred to Committee on Education.

ESSB 5176 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell and Hewitt)

AN ACT Relating to criminal incompetency and civil commitment; amending RCW 10.77.086, 10.77.088, 10.77.270, 71.05.235, 71.05.280, 71.05.290, 71.05.320, 71.05.425, 10.77.200, and 10.77.065; and creating a new section.

Referred to Committee on Judiciary.

SSB 5180 by Senate Committee on Higher Education (originally sponsored by Senators Shin, Roach, Benton, Conway, Harper, Keiser, Sheldon, McAuliffe, Hill, Hatfield, Frockt, Schlicher and Kline)

AN ACT Relating to improving access to higher education for students with disabilities; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

SB 5216 by Senators Rolfes, Bailey, Mullet, Parlette, Keiser, Shin and Conway

AN ACT Relating to long-term care insurance; and amending RCW 48.83.090 and 48.83.170.

Referred to Committee on Health Care & Wellness.

SSB 5274 by Senate Committee on Transportation (originally sponsored by Senators Carrell, Eide, King, Harper, Hill and Shin)

AN ACT Relating to private motorcycle skills education programs; amending RCW 46.81A.020; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

ESB 5305 by Senators Becker, Schlicher, Kline, Dammeier, Delvin, Ericksen, Parlette and Carrell

AN ACT Relating to requiring hospitals to report when providing treatment for bullet wounds, gunshot wounds, and stab wounds to all patients; and amending RCW 70.41.440.

Referred to Committee on Health Care & Wellness.

SSB 5369 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Kline, King, Honeyford and Mullet)

AN ACT Relating to the use of geothermal resources; amending RCW 78.60.030, 78.60.040, and 78.60.060; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Environment.

ESSB 5438 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Ericksen and Chase)

AN ACT Relating to using conservation achieved by a qualifying utility in excess of its biennial acquisition target under the energy independence act; and amending RCW 19.285.040.

Referred to Committee on Environment.

SB 5450 by Senator Parlette

AN ACT Relating to public hospital districts insurance coverage for commissioners; and amending RCW 70.44.050.

Referred to Committee on Local Government.

SB 5472 by Senators Bailey, Ranker, Kohl-Welles and Becker

AN ACT Relating to applied doctorate level degrees in audiology at Western Washington University; and adding a new section to chapter 28B.35 RCW.

Referred to Committee on Higher Education.

SB 5488 by Senators Kohl-Welles, Padden, Kline, Darneille, Fraser, Ranker, Keiser, Delvin, Carrell, McAuliffe, Chase and Conway

AN ACT Relating to establishing an enhanced penalty for the use of an internet advertisement to facilitate the commission of a sex-trafficking crime; adding a new section to chapter 9.68A RCW; repealing RCW 9.68A.104; repealing 2012 c 138 s 1 (uncodified); and repealing 2012 c 138 s 3 (uncodified).

Referred to Committee on Public Safety.

ESB 5495 by Senators Holmquist Newbry, Fain, Hobbs, Dammeier and McAuliffe

AN ACT Relating to the state building code council; and amending RCW 19.27.070.

Referred to Committee on Local Government.

SB 5500 by Senators Benton, Roach and Hobbs

AN ACT Relating to providing a replacement ballot by telephone, mail, or in person to a voter who is not a voter that is overseas or in the military; and reenacting and amending RCW 29A.40.070.

Referred to Committee on Government Operations & Elections.

SSB 5524 by Senate Committee on Health Care (originally sponsored by Senators Cleveland, Schlicher, Benton, Baumgartner, Keiser, Shin and Kline)

AN ACT Relating to authorizing Washington pharmacies to fill prescriptions written by physician assistants in other states; and reenacting and amending RCW 69.41.030 and 69.50.101.

Referred to Committee on Health Care & Wellness.

SSB 5559 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Tom and McAuliffe)

AN ACT Relating to educational specialist degrees at regional universities and the state college; amending RCW 28B.35.202; and adding a new section to chapter 28B.40 RCW.

Referred to Committee on Higher Education.

SB 5578 by Senators Fraser, Carrell, Padden, Darneille, Harper, Pearson, Hargrove and Kline

AN ACT Relating to education requirements for family day care providers; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Early Learning & Human Services.

SB 5618 by Senators Carrell, Padden, Pearson and Harper

AN ACT Relating to the school warrantless search exception; amending RCW 28A.600.230 and 28A.600.240; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

ESSB 5669 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Kohl-Welles, Smith, Hargrove, Pearson, Darneille, Bailey, Nelson, Becker, Benton, Brown, Baumgartner, Conway, Roach and Holmquist Newbry)

AN ACT Relating to trafficking; amending RCW 9.68A.090, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, 9A.44.020, 9A.44.128, 9A.44.150, 9A.82.010, and 13.34.132; reenacting and amending RCW 9A.40.100; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

2ESB 5701 by Senators Brown, Fain, Rivers, Dammeier and Cleveland

AN ACT Relating to authorizing penalties based on the fraudulent submission of tests for educators; and amending RCW 28A.410.090.

Referred to Committee on Education.

SSB 5705 by Senate Committee on Governmental Operations (originally sponsored by Senators Brown, King and Hatfield)

AN ACT Relating to amounts received by taxing districts from property tax refunds and abatements; and amending RCW 84.69.180.

Referred to Committee on Finance.

SSB 5786 by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Hargrove)

AN ACT Relating to requiring certain information in commercial fishing guide license applications; and amending RCW 77.65.050.

Referred to Committee on Agriculture & Natural Resources.

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

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

## SECOND READING

**HOUSE BILL NO. 1071, by Representatives Blake and Chandler**

**Regarding state and private partnerships for managing salmonid hatcheries.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1071 was substituted for House Bill No. 1071 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1071 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 Blake and Chandler spoke in favor of the passage of the bill.

## MOTIONS

On motion of Representative Van De Wege, Representatives Freeman and Pettigrew were excused. On motion of Representative Harris, Representative Nealey were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1071.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1071, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Nealey and Pettigrew.

SUBSTITUTE HOUSE BILL NO. 1071, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1075, by Representatives Lytton, Blake, Chandler, Haigh and Morris**

**Concerning the number of Puget Sound Dungeness crab fishery licenses that one vessel may be designated to carry.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1075 was substituted for House Bill No. 1075 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1075 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 MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1075.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1075, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Dunshee.

Excused: Representatives Freeman, Nealey and Pettigrew.

SUBSTITUTE HOUSE BILL NO. 1075, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1323, by Representatives Lytton, Morris, Blake and Takko**

**Regarding the sea cucumber dive fishery.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1323 was substituted for House Bill No. 1323 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1323 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 MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1323.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1323, and the bill passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Kretz, Scott, Shea and Short.

Excused: Representatives Freeman, Nealey and Pettigrew.

SUBSTITUTE HOUSE BILL NO. 1323, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1419, by Representatives Warnick and Manweller**

**Expanding membership of the Washington state horse park authority.**

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 Warnick, Clibborn and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1419.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1419, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Nealey and Pettigrew.

HOUSE BILL NO. 1419, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1764, by Representatives Chandler, Stanford, Blake, Appleton and Dunshee**

**Concerning geoduck diver licenses.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1764 was substituted for House Bill No. 1764 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1764 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 Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1764.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1764, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Nealey and Pettigrew.

SECOND SUBSTITUTE HOUSE BILL NO. 1764, having received the necessary constitutional majority, was declared passed.

**RECONSIDERATION**

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1075 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1075, on reconsideration.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1075, on reconsideration, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Reykdal, Van De Wege and Warnick.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1075, having received the necessary constitutional majority, was declared on reconsideration, passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Substitute House Bill No. 1075.

Representative Warnick, 13th District

**RECONSIDERATION**

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1323 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1323, on reconsideration.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1323, on reconsideration, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson,

Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Dahlquist, Haler, Harris, Holy, Klippert, Kretz, Kristiansen, Magendanz, Overstreet, Pike, Rodne, Scott, Shea, Short, Stonier, Taylor, Vick and Warnick.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1323, having received the necessary constitutional majority, was declared on reconsideration, passed.

### SECOND READING

**HOUSE BILL NO. 1821, by Representatives Freeman and Santos**

**Concerning good cause exceptions during permanency hearings.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1821 was substituted for House Bill No. 1821 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1821 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 Freeman 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 House Bill No. 1821.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1821, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1821, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1112, by Representatives Short, Upthegrove, Springer, Pollet, Taylor, Zeiger and Wilcox**

**Concerning standards for the use of science to support public policy.**

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 Short and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1112.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1112, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1112, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1141, by Representatives Smith, Tharinger, Short, Hunt, Stanford, Warnick and Ryu**

**Establishing a water pollution control revolving loan administration charge.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1141 was substituted for House Bill No. 1141 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1141 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 Smith and Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1141.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1141, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1141, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1154, by Representatives Upthegrove and Ryu

#### Modifying the definition of nonpower attributes in the energy independence act.

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 Upthegrove and Short spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1154.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1154, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell,

Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1154, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1496, by Representatives Sawyer, McCoy, Hunt, Appleton, Santos, Liias, Riccelli, Dunshee, Stanford, Ormsby and Pollet

#### Concerning hunting-related enforcement actions involving tribal members.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1496 was substituted for House Bill No. 1496 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1496 was read the second time.

Representative Blake moved the adoption of amendment (15).

On page 1, after line 8, strike all material through "hunt" on line 13 and insert "to the contents of the training module on tribal hunting rights produced by the office of the attorney general under section 2 of this act and take any applicable actions consistent with the contents of the module"

On page 2, beginning on line 4, after "agency are" strike all material through "encouraged," on line 5 and insert "encouraged"

On page 2, after line 6, insert the following:

**"NEW SECTION. Sec. 2.** A new section is added to chapter 43.10 RCW to read as follows:

(1) The office of the attorney general shall create a training module on tribal hunting rights to assist all general authority Washington peace officers with understanding the rights of tribal hunters, the related complexity of enforcing hunting laws, and the recommended course of action that should be taken by a peace officer when an individual presents a tribal identification card.

(2) The training module required by this section must include information on the following aspects of tribal hunting law:

(a) Applicable federal treaty provisions, including Article 5 of the treaty of Point Elliot, Article 4 of both the treaty of Neah Bay and the treaty of Point No Point, and Article 3 of both the treaty of Medicine Creek and the treaty of Olympia;

(b) Case law interpretations of treaty rights, including *State v. Miller* (102 Wn.2d 678), *State v. Buchanan* (138 Wn.2d 186), and *State v. Chambers* (81 Wn.2d 929);

(c) Tribal government status and general organization; and

(d) Other sources of authority and information relevant to peace officers when enforcing the hunting laws and rules contained in Title 77 RCW and the corresponding administrative rules adopted by the fish and wildlife commission.

(3) The training module required by this section must be updated as necessary to reflect evolving case law, treaty interpretations, generally accepted academic findings, agreements entered into by the states and tribes, and any other relevant developments related to tribal hunting law.

**Sec. 3.** RCW 77.04.055 and 2000 c 107 s 204 are each amended to read as follows:

(1) In establishing policies to preserve, protect, and perpetuate wildlife, fish, and wildlife and fish habitat, the commission shall meet annually with the governor to:

(a) Review and prescribe basic goals and objectives related to those policies; and

(b) Review the performance of the department in implementing fish and wildlife policies.

~~(2)(a)~~ The commission shall maximize fishing, hunting, and outdoor recreational opportunities compatible with healthy and diverse fish and wildlife populations.

~~((2))~~ (b) The commission shall establish hunting, trapping, and fishing seasons and prescribe the time, place, manner, and methods that may be used to harvest or enjoy game fish and wildlife.

(3) The commission shall establish provisions regulating food fish and shellfish as provided in RCW 77.12.047.

(4) The commission shall have final approval authority for tribal, interstate, international, and any other department agreements relating to fish and wildlife.

(5)(a) The commission shall adopt rules to implement the state's fish and wildlife laws.

(b) The commission shall adopt, and review and update as necessary, enforcement policies and guidelines related to tribal hunting rights that are based on the contents of the training module on tribal hunting rights produced by the office of the attorney general under section 2 of this act.

(6) The commission shall have final approval authority for the department's budget proposals.

(7) The commission shall select its own staff and shall appoint the director of the department. The director and commission staff shall serve at the pleasure of the commission.

**Sec. 4.** RCW 77.15.075 and 2012 c 176 s 8 are each amended to read as follows:

(1) Fish and wildlife officers shall have and exercise, throughout the state, such police powers and duties as are vested in sheriffs and peace officers generally. Fish and wildlife officers are general authority Washington peace officers.

(2) An applicant for a fish and wildlife officer position must be a citizen of the United States of America who can read and write the English language. Before a person may be appointed to act as a fish and wildlife officer, the person shall meet the minimum standards for employment with the department, including successful completion of a psychological examination and polygraph examination or similar assessment procedure administered in accordance with the requirements of RCW 43.101.095(2).

(3) Any liability or claim of liability under chapter 4.92 RCW that arises out of the exercise or alleged exercise of authority by a fish and wildlife officer rests with the department unless the fish and wildlife officer acts under the direction and control of another agency or unless the liability is otherwise assumed under an agreement between the department and another agency.

(4) The department may utilize the services of a volunteer chaplain as provided under chapter 41.22 RCW.

(5) All fish and wildlife officers must, as part of their new officer training, receive at least four hours of training related to the training module on tribal hunting rights prepared by the office of the attorney general under section 2 of this act and any relevant policies adopted by the commission under RCW 77.04.055. This training must be repeated at least once a year for every fish and wildlife officer, with a focus on any recent changes to the module."

Correct the title.

Representatives Blake and Angel spoke in favor of the adoption of the amendment.

Amendment (15) was adopted.

The bill was ordered engrossed.

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

Representatives Sawyer and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1496.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1496, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Orcutt, Overstreet, Pike, Schmick, Scott, Shea, Short, Stonier, Taylor and Vick.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1496, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1244, by Representatives Stanford, Orcutt, Ryu, Warnick, Maxwell, Blake, Upthegrove, Lytton, MacEwen, Van De Wege, Haigh and Tharinger**

**Clarifying the department of natural resources' authority to enter into cooperative agreements.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1244 was substituted for House Bill No. 1244 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1244 was read the second time.

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

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



The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1244.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1244, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1244, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1886, by Representatives Chandler and Haigh

#### Concerning the recoverable costs of the department of agriculture under chapter 16.36 RCW.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1886 was substituted for House Bill No. 1886 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1886 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 Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1886.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1886, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins,

Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1886, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1950, by Representative Haler

#### Designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1950 was substituted for House Bill No. 1950 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1950 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 Haler and Upthegrove spoke in favor of the passage of the bill.

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1950, and the bill held its place on the second reading calendar.

### HOUSE BILL NO. 1017, by Representatives Morris, Fitzgibbon, Fey, Liias, McCoy, Hudgins, Farrell, Morrell, Ormsby, Upthegrove and Pollet

#### Creating new efficiency standards.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1017 was substituted for House Bill No. 1017 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1017 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 Morris, Short and Upthegrove spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1017.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1017, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Taylor, Vick, Walsh, Warnick and Zeiger.

Excused: Representative Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1017, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1218, by Representatives Takko, Klippert, Blake, Orcutt, Kirby, Buys, Lytton, Goodman, Kretz, Van De Wege, Nealey, Hudgins, Wilcox, Stanford, Short, Warnick, Haigh and Ryu**

**Concerning department of fish and wildlife license suspensions.**

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 Takko and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1218.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1218, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli,

Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1218, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1309, by Representatives Upthegrove, Short, Magendanz, Nealey, Morris, Walsh, Takko, McCoy, Liias, Springer, Pollet and Kagi**

**Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1309 was substituted for House Bill No. 1309 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1309 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 Upthegrove, Short and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1309.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1309, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1498, by Representatives Upthegrove, Short and Ryu**

**Improving reports on electronic waste collection.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1498 was substituted for House Bill No. 1498 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1498 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 Upthegrove and Short spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1498.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1498, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1498, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1889, by Representatives Chandler and Blake****Concerning the fruit and vegetable district fund.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1889 was substituted for House Bill No. 1889 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1889 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 Chandler and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1889.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1889, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1889, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1896, by Representatives Lytton, Chandler, Blake, MacEwen and Wilcox****Enhancing compliance with the responsibilities of fishing guides.**

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 Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1896.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1896, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott,

Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1896, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1199, by Representatives Blake, Chandler, Takko, Buys, Kirby, Orcutt, Lytton, Van De Wege, Nealey, Hudgins, Stanford, Wilcox, Warnick, Ryu, Morrell and Tharinger**

**Ensuring hunter safety.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1199 was substituted for House Bill No. 1199 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1199 was read the second time.

With the consent of the house, amendment (91) was withdrawn.

Representative MacEwen moved the adoption of amendment (92).

On page 2, beginning on line 20, after "(2)" strike all material through "(3)" on line 22

On page 2, at the beginning of line 26, strike "(4)" and insert "(3)"

On page 2, at the beginning of line 35, strike "(5)" and insert "(4)"

On page 3, at the beginning of line 3, strike "(6)" and insert "(5)"

On page 3, at the beginning of line 12, strike "(7)" and insert "(6)"

On page 3, at the beginning of line 14, strike "(8)" and insert "(7)"

On page 3, at the beginning of line 29, strike "(9)" and insert "(8)"

On page 3, at the beginning of line 33, strike "(10)" and insert "(9)"

On page 4, beginning on line 14, strike all of section 3  
Correct the title.

Representatives MacEwen and Blake spoke in favor of the adoption of the amendment.

Amendment (92) was adopted.

The bill was ordered engrossed.

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

Representatives Blake, Chandler and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1199.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1199, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1199, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 1199.

Representative Overstreet, 42nd District

#### SECOND READING

**HOUSE BILL NO. 1243, by Representatives Haigh, MacEwen, Blake, Sullivan, Orcutt, Ryu, Maxwell, Upthegrove, Lytton, Van De Wege, Kretz and Warnick**

**Modifying expiration dates affecting the department of natural resources' timber sale program.**

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 Haigh and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1243.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1243, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet,

Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1243, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1364, by Representatives Tharinger, Zeiger, Moscoso, Crouse, Lias, McCoy, Fitzgibbon, Upthegrove, Maxwell, Morrell, Pollet and Fey**

**Adopting the Washington small rechargeable battery stewardship act.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1364 was substituted for House Bill No. 1364 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1364 was read the second time.

Representative Tharinger moved the adoption of amendment (121).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that it is in the public interest of the citizens of Washington to encourage the recovery and reuse of materials, such as metals, that replace the output of mining and other extractive industries.

(2) The legislature further finds that it is desirable to reduce the volume of the solid waste stream and resulting burdens on municipalities.

(3) The legislature further finds that ensuring the proper handling and recycling of used small rechargeable batteries prevents the release of certain toxic materials into the environment and removes from the waste stream certain materials that may present safety concerns if mishandled.

(4) The legislature further finds that it is important to ensure that all entities supplying small rechargeable batteries to users in Washington, whether as stand-alone units or as easily removable components of products, bear the same battery stewardship obligations.

(5) The legislature further finds that addressing certain existing and future barriers to implementation of voluntary industry programs to collect and recycle used small rechargeable batteries will facilitate these interests.

(6) The legislature further finds that the opportunity exists for the state of Washington to encourage the continuation of existing private mechanisms that ensure the proper stewardship of used small rechargeable batteries, while avoiding any burden on the state for enforcement responsibilities.

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

(1) "Battery pack" means an assembly of small rechargeable batteries, together weighing less than eleven pounds, that are packed in a container that has a single positive and negative connection.

(2) "Bona fide used small rechargeable battery stewardship program" or "bona fide program" means a program for the collection,

transportation, recycling, and disposal of used small rechargeable batteries that meets the criteria set forth in section 5 of this act.

(3) "Easily removable" means readily detachable by a consumer with the use of common household tools or without the use of tools.

(4) "Manage" means to run or direct the functioning of a bona fide used small rechargeable battery stewardship program, other than as a retailer or as a franchisor on behalf of its franchisees, on behalf of more than one marketer or manufacturer.

(5) "Manager" means a person who conducts activities described in the definition of manage in this section.

(6) "Manufacture or market" means to perform one of the following acts, other than as a retailer:

(a) Manufacture, or arrange for the manufacturing of, small rechargeable batteries or portable rechargeable products sold, offered for sale, or distributed in Washington under a brand name owned or licensed by the manufacturer or the person who arranges for manufacturing;

(b) Package, or arrange for the packaging of, small rechargeable batteries or portable rechargeable products sold, offered for sale, or distributed in Washington under a brand name owned or licensed by the packager or the person who arranges for packaging;

(c) Import into the United States small rechargeable batteries or portable rechargeable products sold, offered for sale, or distributed in Washington under a brand name owned or licensed by the importer or the person who arranges for the importation; or

(d) Otherwise make available to wholesalers or retailers in Washington small rechargeable batteries either as replacement batteries or as easily removable components in portable rechargeable products.

(7) "Manufacturer or marketer" means every person who conducts activities described in the definition of manufacture or market in this section.

(8) "Nonenrolled battery" means a small rechargeable battery that is not manufactured or marketed by any person who self-operates, manages, or participates in a bona fide used small rechargeable battery stewardship program.

(9) "Participate" means to appoint a manager to act as a representative to administer a bona fide used small rechargeable battery stewardship program on one's behalf and to have that appointment accepted by the manager of the bona fide program.

(10) "Person" means a sole proprietorship, partnership, corporation, nonprofit corporation or organization, limited liability company, firm, association, cooperative, or other legal entity located within or outside Washington.

(11) "Portable rechargeable product" means a product, other than a medical device as defined in RCW 19.210.010, that is packaged with, or contains, one or more easily removable small rechargeable batteries at the time it is sold or offered for sale.

(12) "Retailer" means every person who sells or offers to sell small rechargeable batteries or portable rechargeable products at retail through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or the internet. The term retailer does not include a person who engages solely in wholesale transactions with a distributor or manufacturer.

(13) "Self-operate" means to run or direct the functioning of a bona fide used small rechargeable battery stewardship program as a retailer or franchisor on behalf of oneself or one's franchisees.

(14) "Self-operator" means a retailer or franchisor who conducts activities described in the definition of self-operate in this section.

(15) "Small rechargeable battery" means:

(a)(i) Except as described in (b) of this subsection, one or more voltaic or galvanic cells, together weighing less than eleven pounds, that are electrically connected to produce electric energy and are designed to be recharged; or

(ii) Except as described in (b) of this subsection, a battery pack.

(b) "Small rechargeable battery" does not include:

(i) A battery that is not easily removable or is not intended or designed to be removed from the product, other than by the manufacturer;

(ii) A battery that contains electrolyte as a free liquid; or

(iii) A battery or battery pack that employs lead acid technology, unless the battery or battery pack:

(A) Is sealed;

(B) Contains no liquid electrolyte; and

(C) Is intended by its manufacturer or marketer to power a handheld device or to provide uninterrupted backup electrical power protection for stationary consumer products or stationary office equipment.

**NEW SECTION. Sec. 3.** (1) Except as authorized by subsection (2) of this section, a person may not sell or make available to a wholesaler or retailer for sale in Washington a nonenrolled battery, whether as a replacement battery or as a component of a portable rechargeable product.

(2) This section does not apply to the activities of a telecommunications provider for equipment marketed under a brand it owns that contains small rechargeable batteries.

**NEW SECTION. Sec. 4.** (1) The self-operator or manager of a bona fide used small rechargeable battery stewardship program that incurs costs, including incremental administrative and other costs, in excess of three thousand dollars to collect, transport, and reclaim nonenrolled batteries collected in Washington may bring a civil action or actions to recover costs, damages, and fees, as specified in this section, from any manufacturer or marketer who sold in Washington or made available to a wholesaler or retailer for sale in Washington those nonenrolled batteries.

(2) An action under this section may be brought against one or more defendants.

(3) It is a defense to liability under this section that another manufacturer or marketer of the allegedly nonenrolled battery self-operates, manages, or participates in a bona fide program.

(4)(a) In any action under this section, the self-operator or manager may recover from the manufacturer or marketer of nonenrolled batteries the costs the self-operator or manager incurred in collecting, handling, recycling, or properly disposing of nonenrolled batteries that are reasonably identified as having been manufactured or marketed by the defendant manufacturer or marketer.

(b) In addition to the costs identified in (a) of this subsection, the self-operator or manager may also recover an amount of damages equal to no more than three times the costs identified in (a) of this subsection, plus attorneys' fees and costs of litigation.

(5) An action under this section to recover the costs specified in this section may be brought in any superior or district court in the state.

**NEW SECTION. Sec. 5.** (1) A program for the collection, transportation, recycling, and disposal of used small rechargeable batteries is a bona fide used small rechargeable battery stewardship program for purposes of this chapter if it is either:

(a) A self-operated program that meets the requirements of subsection (2) of this section and collects used small rechargeable batteries regardless of brand at all retail locations in Washington at which the retailer or franchisees sell small rechargeable batteries or portable rechargeable products; or

(b) A program managed on behalf of more than one participating manufacturer or marketer that meets the requirements of subsections (2) and (3) of this section.

(2) All bona fide programs must meet the following operational conditions:

(a) All used small rechargeable batteries collected by the bona fide program are handled by the program self-operator or manager in compliance with all applicable laws and rules and transported only to lawfully permitted facilities for reclamation of battery constituents;

(b) All contracts with service providers entered into by the bona fide program self-operator or manager require compliance with all applicable laws and rules;

(c) All return acceptance, recycling, and other handling services, including postcollection transportation, are provided free of charge to consumers;

(d) Education and outreach activities are provided by the bona fide program to maximize collections and safety, including the offering of signage to retailers indicating the retailer's support of the bona fide program and providing instructions and materials to protect collected used batteries from short circuits;

(e) The bona fide program is open to the public:

(i) For a self-operated program, during all hours the retailer or franchisor does business; or

(ii) For a program managed on behalf of more than one participating manufacturer or marketer, during all hours that collection locations normally do business; and

(f) The following information is provided on the internet:

(i) The name, address, and contact information for its self-operator or manager;

(ii) A description of the methods used to collect, transport, and account for all used small rechargeable batteries collected that includes the identification of all sorting and reclamation facilities to be used through final disposition for sorting and reclamation of all used small rechargeable batteries collected;

(iii) Identification of locations served by the bona fide program where Washington residents may take used small rechargeable batteries and information on what restrictions, if any, will be imposed on the number of used small rechargeable batteries that may be returned;

(iv) A description of the mechanism by which the bona fide program will handle inquiries from consumers;

(v) Information regarding education and outreach activities;

(vi) An invitation for consumers to provide comments on the adequacy and convenience of the bona fide program and instructions on how to do so;

(vii) A description of material changes to the bona fide program from previous program activities; and

(viii) An annual report, current as to no later than April 1st of each year, that identifies:

(A) The bona fide program's funding and recycling success, including any increase in total batteries collected each year, the cost of the bona fide program per pound of batteries collected, and the cost of the bona fide program per Washington resident;

(B) The bona fide program's collections by county and battery chemistry;

(C) The bona fide program's educational and outreach activities;

(D) The mechanisms employed and the entities involved in the final disposition of collected materials; and

(E) The methods used to collect, transport, and account for all used small rechargeable batteries collected, including the identification of all sorting and reclamation facilities used.

(3) If the bona fide program is not a self-operated program, it must also meet the following additional operational conditions:

(a) Provide at least one used small rechargeable battery collection site in each county of the state and in each city or town with a population greater than ten thousand, which may be the same as the location in a county;

(b) Include retailer collection of used small rechargeable batteries regardless of brand at multiple locations;

(c) Provide for the collection of used small rechargeable batteries regardless of brand from governmental collection facilities;

(d) Include on its internet site:

(i) A collection site locator to assist consumers in finding the nearest collection site;

(ii) Identification of all small rechargeable battery manufacturers and marketers that currently are participating in the bona fide program; and

(iii) Information on how small rechargeable battery manufacturers and marketers and consumers may seek technical assistance from the bona fide program; and

(e) Include in its annual report required by subsection (2)(f)(viii) of this section an independently audited financial statement, including a breakdown of bona fide program expenses such as collection, recycling, education, and overhead, unless the bona fide program is part of a program that also operates in jurisdictions outside of Washington, in which case funding information and audited financial statements need not be reported on a Washington-specific basis, but average bona fide program-wide costs of collection and overhead must be clearly stated.

**NEW SECTION. Sec. 6.** This chapter is void if a federal law, or a combination of federal laws, takes effect that establishes a national program for the collection and recycling of both used nonrechargeable batteries and used small rechargeable batteries.

**NEW SECTION. Sec. 7.** Nothing in this chapter alters or limits the authority of the utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, nor does this chapter alter or limit the authority of a city or town to provide such services itself or by contract under RCW 81.77.020.

**NEW SECTION. Sec. 8.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 9.** Sections 2 through 7 of this act constitute a new chapter in Title 70 RCW.

**NEW SECTION. Sec. 10.** This act takes effect January 1, 2014."

Correct the title.

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

Representative Short spoke against the adoption of the amendment.

Amendment (121) was adopted.

The bill was ordered engrossed.

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

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

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1364.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1364, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell,

McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick and Wilcox.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1364, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1448, by Representatives Bergquist, Ross, Cody, Harris, Green, Rodne, Tharinger, Johnson, Manweller, Magendanz and Morrell**

### Regarding telemedicine.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1448 was substituted for House Bill No. 1448 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1448 was read the second time.

Representative Schmick moved the adoption of amendment (78).

On page 2, beginning on line 1, after "telemedicine" strike all material through "contact" on line 3

On page 3, line 9, beginning with "on" strike all material through "contact" on line 11

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

Representative Cody spoke against the adoption of the amendment.

Amendment (78) was not adopted.

Representative Rodne moved the adoption of amendment (100).

On page 2, line 3, after "contact" insert ", and must reimburse an originating site for the infrastructure and preparation of the patient for the telemedicine services,"

On page 2, line 25, after "to," insert "utilization review,"

On page 2, line 28, after "plan" insert ": To reimburse an originating site for professional fees,"

On page 2, line 29, after "plan" insert " ,"

On page 2, line 35, after "telemedicine" insert ", which prepares the patient for the telemedicine services and provides the infrastructure for the telemedicine services to occur"

On page 3, line 11, after "contact" insert ", and must reimburse an originating site for the infrastructure and preparation of the patient for the telemedicine services,"

On page 3, line 35, after "to," insert "utilization review,"

On page 4, line 1, after "carrier" insert ": To reimburse an originating site for professional fees,"

On page 4, line 3, after "plan" insert ","

On page 4, line 7, after "telemedicine" insert ", which prepares the patient for the telemedicine services and provides the infrastructure for the telemedicine services to occur"

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

Amendment (100) was adopted.

Representative Bergquist moved the adoption of amendment (101).

On page 3, line 1, after "treatment." strike "Telemedicine" and insert "For purposes of this section only, telemedicine"

On page 4, line 10, after "treatment." strike "Telemedicine" and insert "For purposes of this section only, telemedicine"

On page 8, after line 30, insert the following:

"**NEW SECTION. Sec. 6.** The medical quality assurance commission, the nursing care quality assurance commission, and the board of osteopathic medicine and surgery shall develop polices to allow health care providers from outside of Washington state to deliver telemedicine services to Washington state residents that will ensure the quality of services delivered and the safety of those patients receiving those services. Throughout the year, the medical quality assurance commission, the nursing care quality assurance commission, and the board of osteopathic medicine and surgery shall meet to coordinate their efforts in developing policies in this area. By December 1, 2013, the department of health shall provide an update to the appropriate committees of the legislature on the progress of these efforts."

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

On page 8, line 31, after "**Sec. 6.**" strike "This act takes" and insert "Sections 1 through 5 of this act take"

Correct the title.

Representatives Bergquist and Schmick spoke in favor of the adoption of the amendment.

Amendment (101) was adopted.

The bill was ordered engrossed.

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

Representatives Bergquist and Johnson spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1448.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1448, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan,

Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Scott, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Condotta, Crouse, DeBolt, Haler, Hargrove, Holy, Klippert, Kretz, Kristiansen, MacEwen, Orcutt, Overstreet, Pike, Reykdal, Schmick, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 1261, by Representatives Hope and Santos

**Establishing receiving care centers for emergency and crisis care for children removed from their homes. Revised for 1st Substitute: Establishing a resource and assessment center license for agencies to provide short-term emergency and crisis care for children removed from their homes.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1261 was substituted for House Bill No. 1261 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1261 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 Hope and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1261.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1261, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove,



Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1261, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1285, by Representatives Goodman, Freeman, Pettigrew, Jinkins, Walsh, Kirby, Orwall, Roberts, Appleton, Seaquist, Ryu, Stanford, Clibborn, Maxwell, Tarleton, Morrell, Pollet and Ormsby**

**Modifying provisions regarding the representation of children in dependency matters.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1285 was substituted for House Bill No. 1285 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1285 was read the second time.

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

Representatives Goodman and O'Ban spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1285.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1285, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kristiansen, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Klippert, Kretz, MacEwen, Magendanz, Manweller, Orcutt, Overstreet, Pike, Rodne, Shea, Short, Stonier, Taylor, Vick and Wilcox.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1285, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1285.  
Representative Stonier, 17th District

#### SECOND READING

**HOUSE BILL NO. 1547, by Representatives Walsh, Kagi, Freeman, Fey, Zeiger, Ryu, Morrell, Roberts, Moscoso and Santos**

**Concerning entities that provide recreational or educational programming for school-aged children.**

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 Walsh and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1547.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1547, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1547, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1594, by Representatives Sawyer, Roberts, Zeiger, Walsh, Kagi, Fey, Ryu, Freeman, Appleton, Moscoso and Ormsby**

**Concerning interviewing children in child protective services investigations at children's advocacy centers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1594 was substituted for House Bill No. 1594 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1594 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 Sawyer 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 House Bill No. 1594.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1594, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1594, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1140, by Representatives Roberts, Pedersen, Moscoso, Reykdal, Rodne, Appleton, Kagi, Walsh, Warnick, Ryu, Jinkins, Freeman and Fagan**

**Concerning sibling visitation after a dependency has been dismissed or concluded.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1140 was substituted for House Bill No. 1140 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1140 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 Roberts spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1140.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1140, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Haler, Hargrove, Harris, Hawkins, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1140, having received the necessary constitutional majority, was declared passed.

### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SECOND SUBSTITUTE HOUSE BILL NO. 1017 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1017, on reconsideration.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1017 on reconsideration, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Kretz, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Stonier, Taylor, Vick, Walsh, Wilcox and Zeiger.

Excused: Representative Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1017, having received the necessary constitutional majority, was declared on reconsideration, passed.

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

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

**MESSAGE FROM THE SENATE**

March 6, 2013

MR. SPEAKER:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 5242
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5328
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5587
- SECOND SUBSTITUTE SENATE BILL NO. 5794

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

**REPORTS OF STANDING COMMITTEES**

March 6, 2013

HB 1915

Prime Sponsor, Representative Uptegrove: Developing recommendations to achieve the state's greenhouse gas emissions limits. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Uptegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias and Tharinger.

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

Referred to Committee on Appropriations Subcommittee on General Government.

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

**SECOND READING**

**HOUSE BILL NO. 1027, by Representatives Moeller and Appleton**

**Implementing changes to child support based on the child support schedule work group report.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1027 was substituted for House Bill No. 1027 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1027 was read the second time.

Representative Shea moved the adoption of amendment (123).

Beginning on page 19, line 27, strike all of subsection (d) and insert:

~~"((d) Residential schedule. The court may deviate from the standard calculation if the child spends a significant amount of time with the parent who is obligated to make a support transfer payment.~~

~~The court may not deviate on that basis if the deviation will result in insufficient funds in the household receiving the support to meet the basic needs of the child or if the child is receiving temporary assistance for needy families. When determining the amount of the deviation, the court shall consider evidence concerning the increased expenses to a parent making support transfer payments resulting from the significant amount of time spent with that parent and shall consider the decreased expenses, if any, to the party receiving the support resulting from the significant amount of time the child spends with the parent making the support transfer payment.)"~~

On page 22, after line 22, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 26.19 RCW to read as follows:

(1) The court shall make an adjustment to the standard calculation for a shared residential schedule subject to the provisions in this section.

(2) In order to make an adjustment to the standard calculation based on the residential schedule, there must be a court order or findings made by an administrative law judge regarding the number of overnights the child or children spend with the obligor parent, and the number of overnights allocated to the obligor is equivalent to at least fourteen percent of annual overnights. The number of overnights in the court order or administrative law judge's findings must be used to calculate the residential adjustment. The findings made by an administrative law judge may be based upon a written agreement between the parents or upon sworn testimony provided by a party at the administrative hearing for child support.

(3) The adjustment must be based on the table in section 8 of this act and the formula set forth in the worksheet for calculating residential credit.

(4) An adjustment may not be made to the standard calculation based on the shared residential schedule if:

(a) The adjustment would result in insufficient funds in the household receiving the support transfer payment to meet the basic needs of the child;

(b) The obligee's net income before receiving the support transfer payment is at or below one hundred twenty-five percent of the federal poverty level guidelines for one person; or

(c) The child is receiving temporary assistance for needy families.

(5) To help parties estimate residential credit, the division of child support shall, if feasible and within available resources, create a residential credit calculator available online.

NEW SECTION. Sec. 8. A new section is added to chapter 26.19 RCW to read as follows:

Residential time table. The TOTAL column represents the anticipated total out-of-pocket expenses expressed as a percentage of the basic child support obligation that will be incurred by the parent who will pay child support. The total expenses are the sum of transferred and duplicated expenses. The DUPLICATED column represents the duplicated expenses and reflects the assumption that when there is an equal sharing of residential time, fifty percent of the basic child support obligation will be duplicated. The number of annual overnights column will determine the particular fractions of TOTAL and DUPLICATED to be used in the residential time credit worksheet.

**ANNUAL OVERNIGHTS**

**DUPLICATED**

FROM	TO	TOTAL
1	51	0.000
52	55	0.062
56	60	0.070
61	65	0.080
66	70	0.093
71	75	0.108
76	80	0.127
		0.052

81 85 0.150	0.070
86 90 0.178	0.093
91 95 0.211	0.122
96 100 0.250	0.156
101 105 0.294	0.195
106 110 0.341	0.237
111 115 0.388	0.280
116 120 0.434	0.321
121 125 0.476	0.358
126 130 0.513	0.390
131 135 0.544	0.417
136 140 0.570	0.438
141 145 0.591	0.454
146 150 0.609	0.467
151 155 0.623	0.476
156 160 0.634	0.483
161 165 0.644	0.488
166 170 0.652	0.491
171 175 0.660	0.494
176 180 0.666	0.495
181 183 0.675	0.500"

Renumber the remaining sections consecutively.

On page 24, after line 27, insert the following:

"**Sec. 8.** RCW 26.19.050 and 2005 c 282 s 37 are each amended to read as follows:

(1) The administrative office of the courts shall develop and adopt worksheets and instructions to assist the parties and courts in establishing the appropriate child support level and apportionment of support. The administrative office of the courts shall develop and adopt a worksheet for calculating residential credit that is consistent with the intent set forth in section 1 of this act. The administrative office of the courts shall attempt to the greatest extent possible to make the worksheets and instructions understandable by persons who are not represented by legal counsel.

(2) The administrative office of the courts shall develop and adopt standards for the printing of worksheets and shall establish a process for certifying printed worksheets. The administrator may maintain a register of sources for approved worksheets.

(3) The administrative office of the courts should explore methods to assist pro se parties and judges in the courtroom to calculate support payments through automated software, equipment, or personal assistance."

Renumber the remaining section consecutively and correct the title.

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

Representative Goodman spoke against the adoption of the amendment.

Amendment (123) was not adopted.

Representative Klippert moved the adoption of amendment (94).

On page 21, line 7, after "court" strike "shall" and insert "may"

On page 21, line 10, after "it" strike "shall" and insert "may"

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

Representative Pedersen spoke against the adoption of the amendment.

Amendment (94) was not adopted.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1027.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1027, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1027, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1172, by Representatives Hurst and Dahlquist

#### Concerning the children of family day care providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1172 was substituted for House Bill No. 1172 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1172 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 Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1172.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1172, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1172, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1227, by Representatives Hunt and Reykdal**

**Regarding cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders.**

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 Hunt and O'Ban spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1227.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1227, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1227, having received the necessary constitutional majority, was declared passed.

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

**HOUSE BILL NO. 1525, by Representatives Orwall, Pedersen, Goodman, Hunt, Roberts, Upthegrove, Ryu and Jinkins**

**Concerning birth certificates and other birth-related information.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1525 was substituted for House Bill No. 1525 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1525 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1525.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1525, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Klippert and Van De Wege.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1525, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1574, by Representatives Kagi, Ryu and Pollet**

**Establishing a fee for certification for the residential services and supports program to cover investigative costs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1574 was substituted for House Bill No. 1574 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1574 was read the second time.

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

Representatives Kagi 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 House Bill No. 1574.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1574, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Hurst, Klippert, Kretz, Kristiansen, MacEwen, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1574, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1631, by Representatives Tharinger, Johnson, Green, Harris, Cody, Riccelli, Jinkins, Morrell, Appleton, Hope, Maxwell, Pollet, Moscoso, Santos and Ryu**

**Concerning planning measures to provide long-term care services and supports needs of the aging population.**

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 Tharinger, Schmick, Smith and Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1631.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1631, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, DeBolt, Holy, Overstreet, Scott, Shea and Taylor.

Excused: Representative Nealey.

HOUSE BILL NO. 1631, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1671, by Representatives Farrell, Walsh, Kagi, Green, Sullivan, Jinkins, Pettigrew, Hunt, Ormsby, Stonier, Fitzgibbon, Goodman, Cody, Morrell, Maxwell, Appleton, Wylie, Orwall, Reykdal, Freeman, Riccelli, Fey, Tarleton, Ryu, Pollet, Bergquist and Santos**

**Concerning child care reform.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1671 was substituted for House Bill No. 1671 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1671 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 Farrell spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1671.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1671, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representative Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1671, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Substitute House Bill No. 1671.

Representative Hope, 44th District

#### SECOND READING

**HOUSE BILL NO. 1677, by Representatives Klippert, Morrell, Hope, Cody, Nealey, Walsh, Fagan and Ryu**

##### Concerning operators of multiple adult family homes.

The bill was read the second time.

Representative Angel moved the adoption of amendment (11).

On page 1, line 12, after "accept" insert "and process"

On page 2, line 2, after "accept" insert "and process"

On page 2, line 7, after "accept" insert "and process"

Representatives Angel, Klippert and Jinkins spoke in favor of the adoption of the amendment.

Amendment (11) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1677.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1677, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet,

Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

ENGROSSED HOUSE BILL NO. 1677, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1724, by Representatives Roberts, Kagi, Pettigrew, Goodman, Green, Reykdal, Cody, Jinkins, Appleton, Freeman, Moeller, Ryu, Pollet, Moscoso and Bergquist**

##### Concerning statements made by juveniles during assessments or screenings for mental health or chemical dependency treatment.

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 Roberts, Walsh, Hurst, O'Ban and Goodman spoke in favor of the passage of the bill.

Representative Klippert and Klippert (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1724.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1724, and the bill passed the House by the following vote: Yeas, 81; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Hargrove, Hawkins, Holy, Hope, Klippert, Kretz, Overstreet, Parker, Pike, Scott, Shea, Short, Taylor and Vick.

HOUSE BILL NO. 1724, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1524, by Representatives Roberts, Clibborn, Goodman, Maxwell, Kagi, Orwall, Appleton, Ryu, Ormsby, Jinkins, Fey and Bergquist**

**Providing for juvenile mental health diversion and disposition strategies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1524 was substituted for House Bill No. 1524 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1524 was read the second time.

Representative Klippert moved the adoption of amendment (136).

On page 2, beginning on line 32, strike all of section 3

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

Correct the title.

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

Representative Roberts spoke against the adoption of the amendment.

Amendment (136) was not adopted.

Representative Roberts moved the adoption of amendment (125).

On page 5, at the beginning of line 35, after "to" strike "ten" and insert "~~(ten)~~ thirty"

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

Amendment (125) was adopted.

Representative Hayes moved the adoption of amendment (134).

On page 11, line 28, after "supervision" strike "must" and insert "may"

Representatives Hayes and Roberts spoke in favor of the adoption of the amendment.

Amendment (134) was adopted.

The bill was ordered engrossed.

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

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

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1524.

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1524, and the bill passed the House by the following vote: Yeas, 75; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1524, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1652, by Representatives Lias, Dahlquist, Takko, Kretz, Clibborn, Condotta, Upthegrove, Springer, Buys and Ryu**

**Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1652 was substituted for House Bill No. 1652 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1652 was read the second time.

With the consent of the house, amendment (61) was withdrawn.

Representative Lias moved the adoption of amendment (83).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.02.050 and 1994 c 257 s 24 are each amended to read as follows:

(1) It is the intent of the legislature:

(a) To ensure that adequate facilities are available to serve new growth and development;

(b) To promote orderly growth and development by establishing standards by which counties, cities, and towns may require, by ordinance, that new growth and development pay a proportionate share of the cost of new facilities needed to serve new growth and development; and

(c) To ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.

(2) Counties, cities, and towns that are required or choose to plan under RCW 36.70A.040 are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new

**ROLL CALL**



development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

(3)(a) Counties, cities, and towns collecting impact fees must adopt a permanent system for the collection of impact fees from applicants for residential building permits issued for a lot or unit created by a subdivision, short subdivision, site development permit, binding site plan, or condominium that includes one or more of the following:

(i)(A) A process by which an applicant for any development permit that requires payment of an impact fee must record a covenant against title to the lot or unit subject to the impact fee obligation. A covenant under this subsection (3)(a)(i) must also serve as a lien binding on all successors in title after the recordation. The covenant must require payment equal to one hundred percent of the impact fee applicable to the lot or unit at the rates in effect at the time the building permit was issued, less a credit for any deposits paid.

(B) Covenants recorded in accordance with this subsection (3)(a)(i) must provide for payment of the impact fee at the earlier of the following: The time of closing of sale of the applicable lot or unit; or in accordance with the applicable county, city, or town ordinance, eighteen or more months after the building permit is issued. Payment of impact fees due at closing of a sale must, unless an agreement to the contrary is reached between buyer and seller, be made from the seller's proceeds. In the absence of an agreement to the contrary, the seller bears strict liability for the payment of the impact fees.

(C) The seller must provide written disclosure of the covenant authorized under this subsection (3)(a)(i) as required by chapter 64.06 RCW.

(D) Upon receiving payment of impact fees due, the applicable county, city, or town must remove the covenant recorded in accordance with this subsection (3)(a)(i); or

(ii) A process by which an applicant may apply for a deferral of the impact fee payment until final inspection or certificate of occupancy, or equivalent certification.

(b) Counties, cities, and towns may adopt local systems for the collection of impact fees that differ from the requirements of this subsection (3) if the payment timing provisions are consistent with those of this subsection.

(c) Any county, city, or town with a prior existing process to delay all impact fees in place prior to the effective date of this section is exempt from the provisions of this section as long as the prior existing impact fee deferral process remains in effect. Prior existing impact fee deferral processes may be amended in a manner consistent with this section.

(4) The impact fees:

(a) Shall only be imposed for system improvements that are reasonably related to the new development;

(b) Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and

(c) Shall be used for system improvements that will reasonably benefit the new development.

~~((4))~~ (5)(a) Impact fees may be collected and spent only for the public facilities defined in RCW 82.02.090 which are addressed by a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 or the provisions for comprehensive plan adoption contained in chapter 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or town is required to adopt its development regulations under chapter 36.70A RCW, continued authorization to collect and expend impact fees ~~(shall be)~~ is contingent on the county, city, or town adopting or revising a comprehensive plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:

~~((4))~~ (i) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;

~~((4))~~ (ii) Additional demands placed on existing public facilities by new development; and

~~((4))~~ (iii) Additional public facility improvements required to serve new development.

(b) If the capital facilities plan of the county, city, or town is complete other than for the inclusion of those elements which are the responsibility of a special district, the county, city, or town may impose impact fees to address those public facility needs for which the county, city, or town is responsible.

**Sec. 2.** RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture,

forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area (~~shall be~~) are subject to the requirements of (d)(iv) of this subsection, but (~~shall~~) are not (~~be~~) subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and

nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area (~~as defined by the local government according to RCW 36.70A.030(15)~~). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area (~~as defined by the local government according to RCW 36.70A.030(15)~~). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl. For the purposes of this subsection, "rural character" has the same meaning as provided in RCW 36.70A.030;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after the county or city receives full payment of all impact fees due.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

**NEW SECTION. Sec. 3.** This act takes effect December 1, 2013."  
Correct the title.

Representatives Liias, Dahlquist and Magendanz spoke in favor of the adoption of the amendment.

Amendment (83) was adopted.

The bill was ordered engrossed.

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

Representatives Liias, Pike, Taylor, Orcutt and Dahlquist spoke in favor of the passage of the bill.

Representatives Maxwell, Dunshee and Pollet spoke against the passage of the bill.

#### MOTION

On motion of Representative Van De Wege, Representative Freeman was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1652.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 73; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Fey, Fitzgibbon, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Moeller, Morris, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pedersen, Pike, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Dunshee, Farrell, Goodman, Hope, Hudgins, Hunt, Kagi, Maxwell, McCoy, Morrell, Moscoso, Ormsby, Orwall, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Sells, Stonier and Wylie.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1675, by Representatives Roberts, Orwall, Goodman, Kirby, Jinkins, Pedersen, Farrell, Kagi, Freeman and Ryu**

**Improving the adoption process.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1675 was substituted for House Bill No. 1675 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1675 was read the second time.

Representative Shea moved the adoption of amendment (130).

On page 2, line 19, after "the report." insert "The fitness of a parent shall not be based on the person's sincerely held religious or philosophical beliefs and practices regarding child discipline and punishment that do not otherwise constitute a violation of state law."

On page 4, line 17, after "adoption." insert "The fitness of a parent shall not be based on the person's sincerely-held religious or philosophical beliefs and practices regarding child discipline and punishment that do not otherwise constitute a violation of state law."

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

Amendment (130) was adopted.

Representative Roberts moved the adoption of amendment (124).

On page 7, beginning on line 17, after "adoption" strike all material through "RCW 26.33.300" on line 19

On page 7, beginning on line 20, strike all of section 5

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

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

Amendment (124) was adopted.

The bill was ordered engrossed.

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

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

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1675.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1675, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Hargrove, Klippert, Kristiansen, MacEwen, Overstreet and Vick.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1675, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1723, by Representatives Kagi, Walsh, Farrell, Maxwell, Roberts, Freeman, Goodman, Sawyer, Sullivan, Jinkins, Seaquist, Lytton, Haigh, Hunter, Morrell, Sells, Ryu, Morris, McCoy, Reykdal, Tarleton, Tharinger, Pollet, Fey, Moscoso, Bergquist, Ormsby and Santos**

**Concerning early learning opportunities.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1723 was substituted for House Bill No. 1723 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1723 was read the second time.

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

Representatives Kagi and MacEwen spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1723.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1723, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Wilcox and Zeiger.

Excused: Representative Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1723, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1563, by Representatives Farrell, Wylie, McCoy, Orwall, Seaquist, Bergquist, Springer, Pedersen, O'Ban, Kochmar, Moeller, Fitzgibbon, Appleton, Ryu, Stanford, Maxwell, Jinkins, Hunt, Fey, Pollet, Goodman, Habib and Santos**

**Concerning the disposition of surplus property for the development of affordable housing.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1563 was substituted for House Bill No. 1563 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1563 was read the second time.

Being drawn to the first substitute, amendment (42) was ruled out of order.

Representative Farrell moved the adoption of amendment (40).

On page 1, after line 10, insert the following:

"**NEW SECTION. Sec. 1.** The legislature recognizes that many local governmental entities are experiencing financial challenges, and understands the multiple needs of local governmental entities to provide important services. It is the intent of the legislature to provide flexibility to local governmental entities regarding the disposition of surplus property for the development of affordable housing and to allow sufficient discretion to local governmental entities to balance these competing needs."

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

On page 18, line 9, after "Sections 1" strike "and 2" and insert "through 3"

Correct the title.

Representatives Farrell, Warnick and Appleton spoke in favor of the adoption of the amendment.

Amendment (40) was adopted.

The bill was ordered engrossed.

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

Representatives Farrell and Dunshee spoke in favor of the passage of the bill.

Representatives Pike, Warnick, Smith, Kochmar, Rodne and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1563.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1563, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Carlyle, Chandler, Condotta, Crouse, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunter, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Moeller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1563, having received the necessary constitutional majority, was declared passed.

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

**HOUSE BILL NO. 1651, by Representatives Kagi, Walsh, Freeman, Roberts, Farrell, Zeiger, Goodman, Pollet, Sawyer, Appleton, Bergquist, Hunt, Moscoso, Jinkins, Ryu and Morrell**

**Concerning access to juvenile records.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1651 was substituted for House Bill No. 1651 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1651 was read the second time.

With the consent of the house, amendment (129) was withdrawn.

Representative Overstreet moved the adoption of amendment (116).

On page 2, line 18, after "RCW" insert ";

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or arson in the first degree or criminal solicitation of or criminal conspiracy to commit arson in the first degree"

On page 12, line 4, after "for" insert "arson in the first degree or criminal solicitation of or criminal conspiracy to commit arson in the first degree,"

Representatives Overstreet and Kagi spoke in favor of the adoption of the amendment.

Amendment (116) was adopted.

Representative Scott moved the adoption of amendment (117).

On page 2, line 18, after "RCW" insert ";

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or assault of a child in the second degree"

On page 12, line 4, after "for" insert "assault of a child in the second degree,"

Representatives Scott and Kagi spoke in favor of the adoption of the amendment.

Amendment (117) was adopted.

Representative Pike moved the adoption of amendment (118).

On page 2, line 18, after "RCW" insert ";

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or kidnapping in the second degree"

On page 12, line 4, after "for" insert "kidnapping in the second degree,"

Representatives Pike and Kagi spoke in favor of the adoption of the amendment.

Amendment (118) was adopted.

Representative Taylor moved the adoption of amendment (119).

On page 2, line 18, after "RCW" insert ";

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or leading organized crime"

On page 12, line 4, after "for" insert "leading organized crime,"

Representatives Taylor and Kagi spoke in favor of the adoption of the amendment.

Amendment (119) was adopted.

Representative Shea moved the adoption of amendment (120).

On page 2, line 18, after "RCW" insert ";

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or malicious placement of an explosive in the first degree"

On page 12, line 4, after "for" insert "malicious placement of an explosion in the first degree,"

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

Amendment (120) was adopted.

The bill was ordered engrossed.

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

Representatives Kagi 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 Engrossed Substitute House Bill No. 1651.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1651, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1651, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1294, by Representatives Van De Wege, Hudgins, Pollet, Maxwell, Hunt, Upthegrove, Tharinger, Fey, Farrell, Moscoso, Hunter, Stanford, Reykdal, Fitzgibbon, Bergquist, Tarleton, Goodman, Kagi, Hansen, Jinkins, Habib, Pedersen, Ryu, Lias, Riccelli, Roberts, Morrell, Clibborn and Ormsby**

**Concerning flame retardants.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1294 was substituted for House Bill No. 1294 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1294 was read the second time.

With the consent of the house, amendments (97) and (115) to the striking amendment were withdrawn.

Representative Springer moved the adoption of amendment (135).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.240.020 and 2008 c 288 s 3 are each amended to read as follows:

(1) Beginning July 1, 2009, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state a children's product or product component containing the following:

(a) Except as provided in subsection (2) of this section, lead at more than .009 percent by weight (ninety parts per million);

(b) Cadmium at more than .004 percent by weight (forty parts per million); or

(c) Phthalates, individually or in combination, at more than 0.10 percent by weight (one thousand parts per million).

(2) Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products or residential upholstered furniture, as defined in RCW 70.76.010, containing TDCPP or TCEP in amounts greater than one hundred parts per million in any product component.

(3) If determined feasible for manufacturers to achieve and necessary to protect children's health, the department, in consultation with the department of health, may by rule require that no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state a children's product or product component containing lead at more than .004 percent by weight (forty parts per million).

**NEW SECTION. Sec. 2.** A new section is added to chapter 70.240 RCW to read as follows:

(1) Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale or distribute for use in this state, residential upholstered furniture, as defined in RCW 70.76.010, or children's products containing a flame retardant not included in RCW 70.240.020 in any product component in amounts greater than one hundred parts per million identified by the department as a high priority chemical of high concern for children as required under RCW 70.240.030.

(2) Except for TDCPP and TCEP, the department shall grant an exemption to restrictions under subsection (1) of this section for a length of time requested by the manufacturer, but not to exceed two years, if the manufacturer of residential upholstered furniture or children's products demonstrates, and the department determines, that there is no technically feasible safer alternative to meet applicable Washington state or federal fire safety standards.

(3) Beginning July 1, 2015, at the request of the department, a manufacturer of residential upholstered furniture or children's products shall, within sixty days of the request, submit a certificate of compliance stating that the product or product component meets the requirements of subsection (1) of this section. A manufacturer required under any other state statute to provide a certificate of compliance may develop one certificate containing all required information.

(4) The certificate of compliance must include the following:

(a) Chemical names and chemical abstracts service registry numbers for all chemicals present in the product or product component that act as flame retardants;

(b) The specific basis upon which an exemption, if applicable, is claimed; and

(c) The signature of an authorized official of the manufacturing company.

(5) A manufacturer completing a certificate of compliance shall keep a copy of the certificate on file for as long as the product or product component contains flame retardants. If a manufacturer ceases to sell or distribute products or product components containing flame retardants, the manufacturer must retain the certificate on file for three years from the date of the last sale or distribution.

**Sec. 3.** RCW 70.240.010 and 2008 c 288 s 2 are each amended to read as follows:

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

(1) "Children's cosmetics" means cosmetics that are made for, marketed for use by, or marketed to children under the age of twelve. "Children's cosmetics" includes cosmetics that meet any of the following conditions:

(a) Represented in its packaging, display, or advertising as appropriate for use by children;

(b) Sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children; or

(c) Sold in any of the following:

(i) Retail store, catalogue, or online web site, in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(ii) A discrete portion of a retail store, catalogue, or online web site, in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(2) "Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children under the age of twelve. "Children's jewelry" includes jewelry that meets any of the following conditions:

(a) Represented in its packaging, display, or advertising as appropriate for use by children under the age of twelve;

(b) Sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children;

(c) Sized for children and not intended for use by adults; or

(d) Sold in any of the following:

(i) A vending machine;

(ii) Retail store, catalogue, or online web site, in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(iii) A discrete portion of a retail store, catalogue, or online web site, in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(3)(a) "Children's product" includes any of the following:

(i) Toys;

(ii) Children's cosmetics;

(iii) Children's jewelry;

(iv) A product designed or intended by the manufacturer to help a child with sucking or teething, to facilitate sleep, relaxation, or the feeding of a child, or to be worn as clothing by children; or

(v) Child car seats.

(b) "Children's product" does not include the following:

(i) Batteries;

(ii) Slings and catapults;

(iii) Sets of darts with metallic points;

(iv) Toy steam engines;

(v) Bicycles and tricycles;

(vi) Video toys that can be connected to a video screen and are operated at a nominal voltage exceeding twenty-four volts;

(vii) Chemistry sets;

(viii) Consumer electronic products, including but not limited to personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices incorporating a video screen, used to access interactive software and their associated peripherals;

(ix) Interactive software, intended for leisure and entertainment, such as computer games, and their storage media, such as compact disks;

(x) BB guns, pellet guns, and air rifles;

(xi) Snow sporting equipment, including skis, poles, boots, snow boards, sleds, and bindings;

(xii) Sporting equipment, including, but not limited to bats, balls, gloves, sticks, pucks, and pads;

(xiii) Roller skates;

(xiv) Scooters;

(xv) Model rockets;

(xvi) Athletic shoes with cleats or spikes; and

(xvii) Pocket knives and multitools.

(4) "Cosmetics" includes articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and articles intended for use as a component of such an article. "Cosmetics" does not include soap, dietary supplements, or food and drugs approved by the United States food and drug administration.

(5) "Department" means the department of ecology.

(6) "High priority chemical" means a chemical identified by a state agency, federal agency, or accredited research university, or other scientific evidence deemed authoritative by the department on the basis of credible scientific evidence as known to do one or more of the following:

(a) Harm the normal development of a fetus or child or cause other developmental toxicity;

(b) Cause cancer, genetic damage, or reproductive harm;

(c) Disrupt the endocrine system;

(d) Damage the nervous system, immune system, or organs or cause other systemic toxicity;

(e) Be persistent, bioaccumulative, and toxic; or

(f) Be very persistent and very bioaccumulative.

(7) "Manufacturer" includes any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a children's product or an importer or domestic distributor of a children's product. For the purposes of this subsection, "importer" means the owner of the children's product.

(8) "Phthalates" means di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), benzyl butyl phthalate (BBP), diisonoyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP).

(9) "Toy" means a product designed or intended by the manufacturer to be used by a child at play.

(10) "Trade association" means a membership organization of persons engaging in a similar or related line of commerce, organized to promote and improve business conditions in that line of commerce and not to engage in a regular business of a kind ordinarily carried on for profit.

(11) "Very bioaccumulative" means having a bioconcentration factor or bioaccumulation factor greater than or equal to five thousand, or if neither are available, having a log Kow greater than 5.0.

(12) "Very persistent" means having a half-life greater than or equal to one of the following:

(a) A half-life in soil or sediment of greater than one hundred eighty days;

(b) A half-life greater than or equal to sixty days in water or evidence of long-range transport.

(12) "TDCPP" means the chemical (tris(1,3-dichloro-2-propyl)phosphate); chemical abstracts service number 13674-87-8, as of the effective date of this section.

(13) "TCEP" means the chemical (tris(2-chloroethyl)phosphate); chemical abstracts service number 115-96-8, as of the effective date of this section."

Correct the title.

Representative Short moved the adoption of amendment (140) to amendment (135).

On page 1, line 2 of the striking amendment, strike everything after "following:" and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.240 RCW to read as follows:

Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products containing TDCPP (tris(1,3-dichloro-2-propyl)phosphate), chemical abstracts service number 13674-87-8, as of the effective date of this section, or TCEP (tris(2-chloroethyl) phosphate), chemical abstracts service number 115-96-8, as of the effective date of this section in amounts greater than one hundred parts per million in any product component."

Correct the title.

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Upthegrove spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (140) to amendment (135) and the amendment was not adopted by the following vote: Yeas: 48 Nays: 49 Absent: 0 Excused: 1

Voting yea: Representatives Alexander, Angel, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Takko, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representative Freeman

Amendment (140) to amendment (135) was not adopted.

Representative Short moved the adoption of amendment (139) to amendment (135).

On page 2, line 3 of the striking amendment, beginning with "(1)" strike all material through "distribution" on page 3, line 7, and insert "The department shall work with a broad group of



stakeholders to develop an alternative assessment guidance document for use on a voluntary basis"

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Upthegrove spoke against the adoption of the amendment to the amendment.

Amendment (139) to amendment (135) was not adopted.

Representative Springer spoke in favor of the adoption of the striking amendment.

Amendment (135) was adopted.

The bill was ordered engrossed.

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

Representatives Van De Wege and Springer spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1294.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1294, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1663, by Representatives Tharinger, Nealey, Van De Wege, Johnson, Takko, Blake, Haigh, Kretz, Fey, Hayes, Short, Crouse and Ryu**

**Extending the sales and use tax exemption for hog fuel used to produce electricity, steam, heat, or biofuel.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1663 was substituted for House Bill No. 1663 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1663 was read the second time.

Representative Orcutt moved the adoption of amendment (89).

On page 2, beginning on line 10, after "(3)" strike all material through "(4)" on line 16

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

Representative Tharinger spoke against the adoption of the amendment.

Amendment (89) was not adopted.

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

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1663.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1663, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1663, 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 Appropriations Subcommittee on Education was relieved of HOUSE BILL NO. 1247, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1490, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Appropriations Subcommittee on General Government was relieved of HOUSE BILL NO. 1818, and the bill was referred to the Committee on Rules.

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

HOUSE BILL NO. 1035  
 HOUSE BILL NO. 1108  
 HOUSE BILL NO. 1177  
 HOUSE BILL NO. 1252  
 HOUSE BILL NO. 1301  
 HOUSE BILL NO. 1302  
 HOUSE BILL NO. 1306  
 HOUSE BILL NO. 1325  
 HOUSE BILL NO. 1326  
 HOUSE BILL NO. 1327  
 HOUSE BILL NO. 1328  
 HOUSE BILL NO. 1402  
 HOUSE BILL NO. 1424  
 HOUSE BILL NO. 1440  
 HOUSE BILL NO. 1459  
 HOUSE BILL NO. 1499  
 HOUSE BILL NO. 1515  
 HOUSE BILL NO. 1518  
 HOUSE BILL NO. 1519  
 HOUSE BILL NO. 1522  
 HOUSE BILL NO. 1552  
 HOUSE BILL NO. 1638  
 HOUSE BILL NO. 1654  
 HOUSE BILL NO. 1680

HOUSE BILL NO. 1704  
 HOUSE BILL NO. 1727  
 HOUSE BILL NO. 1740  
 HOUSE BILL NO. 1753  
 HOUSE BILL NO. 1769  
 HOUSE BILL NO. 1774  
 HOUSE BILL NO. 1769  
 HOUSE BILL NO. 1774  
 HOUSE BILL NO. 1777  
 HOUSE BILL NO. 1779  
 HOUSE BILL NO. 1819  
 HOUSE BILL NO. 1923  
 HOUSE BILL NO. 1947

HOUSE CONCURRENT RESOLUTION NO. 4403

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

There being no objection, the House adjourned until 10:00 a.m., March 7, 2013, the 53rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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1017-S2	Second Reading.....	9
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	Third Reading Final Passage on Reconsideration.....	16
1027	Second Reading.....	17
1027-S	Second Reading.....	17
	Amendment Offered.....	17
	Third Reading Final Passage.....	18
1035	Other Action.....	30
1071	Second Reading.....	3
1071-S	Second Reading.....	3
	Third Reading Final Passage.....	4
1075	Second Reading.....	4
1075-S	Second Reading.....	4
	Third Reading Final Passage.....	4
	Third Reading Final Passage on Reconsideration.....	5
1108	Other Action.....	30
1112	Second Reading.....	6
	Third Reading Final Passage.....	6
1140	Second Reading.....	16
1140-S	Second Reading.....	16
	Third Reading Final Passage.....	16
1141	Second Reading.....	6
1141-S	Second Reading.....	6
	Third Reading Final Passage.....	6
1154	Second Reading.....	7
	Third Reading Final Passage.....	7
1172	Second Reading.....	18
1172-S	Second Reading.....	18
	Third Reading Final Passage.....	19
1177	Other Action.....	30
1199	Second Reading.....	11
1199-S	Second Reading.....	11
	Amendment Offered.....	11
	Third Reading Final Passage.....	11
1218	Second Reading.....	9
	Third Reading Final Passage.....	9
1227	Second Reading.....	19
	Third Reading Final Passage.....	19
1243	Second Reading.....	11
	Third Reading Final Passage.....	11
1244		

Second Reading.....	8
1244-S	
Second Reading.....	8
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1285	
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1302	
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1306	
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1309	
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1323-S	
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1326	
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1327	
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1328	
Other Action.....	30
1364	
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1402	
Other Action.....	30
1419	
Second Reading.....	4
Third Reading Final Passage.....	5
1424	
Other Action.....	30
1440	
Other Action.....	30
1448	
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1448-S	Second Reading .....	14
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1459	Other Action .....	30
1490	Other Action .....	30
1496	Second Reading .....	7
1496-S	Second Reading .....	7
	Amendment Offered .....	7
	Third Reading Final Passage .....	8
1498	Second Reading .....	10
1498-S	Second Reading .....	10
	Third Reading Final Passage .....	10
1499	Other Action .....	30
1515	Other Action .....	30
1518	Other Action .....	30
1519	Other Action .....	30
1522	Other Action .....	30
1524	Second Reading .....	21
1524-S	Second Reading .....	21
	Amendment Offered .....	21
	Third Reading Final Passage .....	22
1525	Second Reading .....	19
1525-S	Second Reading .....	19
	Third Reading Final Passage .....	19
1547	Second Reading .....	15
	Third Reading Final Passage .....	15
1552	Other Action .....	30
1563	Second Reading .....	25
1563-S2	Second Reading .....	25
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1574	Second Reading .....	19
1574-S	Second Reading .....	19
	Third Reading Final Passage .....	20
1594	Second Reading .....	15
1594-S	Second Reading .....	16
	Third Reading Final Passage .....	16
1631	Second Reading .....	20
	Third Reading Final Passage .....	20
1638	Other Action .....	30

1651	Second Reading.....	26
1651-S	Second Reading.....	26
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1652	Second Reading.....	22
1652-S	Second Reading.....	22
	Amendment Offered.....	22
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1654	Other Action.....	30
1663	Second Reading.....	29
1663-S2	Second Reading.....	29
	Amendment Offered.....	29
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1671	Second Reading.....	20
1671-S	Second Reading.....	20
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1675	Second Reading.....	24
1675-S	Second Reading.....	24
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1677	Second Reading.....	20
	Amendment Offered.....	20
	Third Reading Final Passage.....	21
1680	Other Action.....	30
1704	Other Action.....	30
1723	Second Reading.....	25
1723-S2	Second Reading.....	25
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1724	Second Reading.....	21
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1727	Other Action.....	30
1740	Other Action.....	30
1753	Other Action.....	30
1764	Second Reading.....	5
1764-S2	Second Reading.....	5
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1769	Other Action.....	30
1774	Other Action.....	30
1777	Other Action.....	30
1779	Other Action.....	30

1818	Other Action.....	30
1819	Other Action.....	30
1821	Second Reading.....	6
1821-S	Second Reading.....	6
	Third Reading Final Passage.....	6
1886	Second Reading.....	8
1886-S	Second Reading.....	8
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1889	Second Reading.....	10
1889-S	Second Reading.....	10
	Third Reading Final Passage.....	10
1896	Second Reading.....	10
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1947	Other Action.....	30
1950	Second Reading.....	8
1950-S	Second Reading.....	9
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1978	Introduction & 1st Reading.....	1
1979	Introduction & 1st Reading.....	1
1980	Introduction & 1st Reading.....	1
4403	Other Action.....	30
5069	Introduction & 1st Reading.....	2
5081	Messages.....	1
5100-S	Messages.....	1
5114	Introduction & 1st Reading.....	2
5119-S	Messages.....	1
5149	Messages.....	1
5157-S	Messages.....	1
5176-S	Introduction & 1st Reading.....	2
5180-S	Introduction & 1st Reading.....	2
5207	Messages.....	1
5216	Introduction & 1st Reading.....	2
5227-S		

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5242-S	
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5305	
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5316-S	
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5328-S	
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5369-S	
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5399-S	
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5438-S	
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5446	
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5450	
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5488	
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5495	
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5500	
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5516	
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5524-S	
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5556-S	
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5558	
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5559-S	
Introduction & 1st Reading .....	3
5563-S	
Messages .....	1
5578	
Introduction & 1st Reading .....	3
5587-S	
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5601-S	
Messages .....	1
5606	
Messages .....	1
5607	
Messages .....	1
5618	
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5620	
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5669-S	
Introduction & 1st Reading .....	3
5701	
Introduction & 1st Reading .....	3
5705-S	
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