

## SIXTY THIRD LEGISLATURE - REGULAR SESSION

**EIGHTY SIXTH DAY**

House Chamber, Olympia, Tuesday, April 9, 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 Amanda McMahon and Ryan McMahon. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Matt Shea, 4<sup>th</sup> District.

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

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

**INTRODUCTIONS AND FIRST READING**

ESSB 5034 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to fiscal matters; amending RCW 2.68.020, 13.40.466, 18.04.105, 18.43.150, 18.71.315, 18.85.061, 19.28.351, 28B.15.069, 28B.67.030, 28B.105.110, 28C.04.535, 28C.10.082, 38.52.540, 41.26.802, 43.08.190, 43.09.475, 43.24.150, 43.71.030, 43.79.445, 43.79.480, 43.101.200, 43.155.050, 43.185.050, 46.66.080, 46.68.340, 70.42.090, 70.93.180, 70.119.150, 70.148.020, 74.09.215, 77.12.201, 77.12.203, 79.64.040, 82.08.160, 82.14.310, and 86.26.007; reenacting and amending RCW 41.60.050, 41.80.010, 41.80.020, 43.325.040, 70.105D.070, and 79.105.150; amending 2012 2nd sp.s. c 7 ss 111, 112, 114, 115, 118, 121, 127, 129, 131, 132, 136, 139, 142, 144, 149, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 218, 219, 220, 221, 302, 303, 307, 308, 311, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 602, 613, 615, 616, 617, 701, 702, 707, 801, 802, 803, and 804 (uncodified); amending 2011 2nd sp.s. c 9 ss 506, and 703 (uncodified); amending 2011 1st sp.s. c 50 s 804 (uncodified); amending 2011 1st sp.s. c 41 s 3 (uncodified); adding a new section to 2011 1st sp.s. c 50 (uncodified); creating new sections; repealing 2011 c 41 s 3 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5891 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to state technology expenditures; amending RCW 41.06.142, 43.41A.075, 43.41A.025, 39.26.100, 43.41A.010, and 43.88.092; adding a new section to chapter 43.41 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

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.

**REPORTS OF STANDING COMMITTEES**

April 4, 2013

HB 2024 Prime Sponsor, Representative Pedersen: Concerning legal proceedings by the attorney general on behalf of state officers. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

SSB 5045 Prime Sponsor, Committee on Commerce & Labor: Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Government Accountability & Oversight.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 66.20 RCW to read as follows:

(1) There shall be a permit known as a day spa permit to allow the holder to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises. The customer must be at least twenty-one years of age and may only be offered one glass of wine or beer, and wine or beer served or consumed shall be purchased from a Washington state licensed retailer. A day spa offering wine or beer without charge may not advertise the service of complimentary wine or beer and may not sell wine or beer in any manner. Any employee involved in the service of wine or beer must complete a board-approved alcohol server training program.

(2) For the purposes of this section, "day spa" means a business that offers at least three of the following types of beauty services:

(a) Hair care, including shampooing, cutting, styling, and dyeing hair;

(b) Skin care, such as facials or body wraps;

(c) Massages; or

(d) Body toning equipment.

(3) The initial annual fee for this permit is one hundred twenty-five dollars, and the legislature may thereafter adjust the fee in the omnibus operating appropriations act."

Correct the title.

Signed by Representatives Hunter, Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Haigh; Haler; Hunt; Jinkins; Kagi; Maxwell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Vice Chair; Green; Harris; Hudgins and Morrell.

Passed to Committee on Rules for second reading.

April 4, 2013

ESB 5105 Prime Sponsor, Senator Dammeier: Asserting conditions under which the department of corrections provides rental vouchers to a registered sex offender. (REVISED FOR ENGROSSED: Asserting conditions under which the department of corrections provides rental vouchers to an offender. ) Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

SSB 5195 Prime Sponsor, Committee on Ways & Means: Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Fagan; Green; Haigh; Haler; Harris; Hudgins; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Hunt; Parker; Pike and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5369 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Concerning the use of geothermal resources. Reported by

Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Environment. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

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

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5437 Prime Sponsor, Committee on Law & Justice: Regarding boating safety. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on General Government and without amendment by Committee on Public Safety.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 79A.60.040 and 1998 c 213 s 7 are each amended to read as follows:

(1) It ~~((shall be))~~ is unlawful for any person to operate a vessel in a reckless manner.

(2) It ~~((shall be a violation))~~ is unlawful for a person to operate a vessel while under the influence of intoxicating liquor, marijuana, or any drug. A person is considered to be under the influence of intoxicating liquor, marijuana, or any drug if, within two hours of operating a vessel:

(a) The person has an alcohol concentration of 0.08 ~~((grams))~~ or ~~((more of alcohol per two hundred ten liters of breath,))~~ higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has ~~((0.08 percent or more by weight of alcohol in the person's blood, as shown by analysis of the person's blood made under RCW 46.61.506))~~ a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) The person is under the influence of or affected by intoxicating liquor, marijuana, or any drug; or

(d) The person is under the combined influence of or affected by intoxicating liquor, marijuana, and any drug.

~~(3) The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. ((A person cited under this subsection may upon request be given a breath test for breath alcohol or may request to have a blood sample taken for blood alcohol analysis. An arresting officer shall administer field sobriety tests when circumstances permit.~~

~~(3))~~ (4) Any person who operates a vessel within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of the person's breath or blood for the purpose of determining the alcohol concentration, THC concentration, or presence of any drug in the person's breath or blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person was operating a vessel while under the influence of intoxicating liquor, marijuana, or any drug. Neither consent nor this section precludes a police officer from obtaining a search warrant for a person's breath or blood. An arresting officer may administer field sobriety tests when

circumstances permit.

(5) The test or tests of breath must be administered pursuant to RCW 46.20.308. Where the officer has reasonable grounds to believe that the person is under the influence of a drug, or where the person is incapable due to physical injury, physical incapacity, or other physical limitation, of providing a breath sample, or where the person is being treated in a hospital, clinic, doctor's office, emergency medical vehicle, ambulance, or other similar facility, a blood test must be administered by a qualified person as provided in RCW 46.61.506(5). The officer shall warn the person that if the person refuses to take the test, the person will be issued a class 1 civil infraction under RCW 7.80.120.

(6) A violation of subsection (1) of this section is a misdemeanor(~~, punishable as provided under RCW 9.92.030~~). A violation of subsection (2) of this section is a gross misdemeanor. In addition to the statutory penalties imposed, the court may order the defendant to pay restitution for any damages or injuries resulting from the offense.

**NEW SECTION. Sec. 2.** A new section is added to chapter 79A.60 RCW to read as follows:

(1) The refusal of a person to submit to a test of the alcohol concentration, THC concentration, or presence of any drug in the person's blood or breath is not admissible into evidence at a subsequent criminal trial.

(2) A person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 constitutes a class 1 civil infraction under RCW 7.80.120.

**Sec. 3.** RCW 7.80.120 and 2003 c 365 s 3 and 2003 c 337 s 4 are each reenacted and amended to read as follows:

(1) A person found to have committed a civil infraction shall be assessed a monetary penalty.

(a) The maximum penalty and the default amount for a class 1 civil infraction shall be two hundred fifty dollars, not including statutory assessments, except for an infraction of state law involving (i) potentially dangerous litter as specified in RCW 70.93.060(4) ~~((and an infraction of state law involving))~~ or violent video or computer games under RCW 9.91.180, in which case the maximum penalty and default amount is five hundred dollars; or (ii) a person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 and section 2 of this act, in which case the maximum penalty and default amount is one thousand dollars;

(b) The maximum penalty and the default amount for a class 2 civil infraction shall be one hundred twenty-five dollars, not including statutory assessments;

(c) The maximum penalty and the default amount for a class 3 civil infraction shall be fifty dollars, not including statutory assessments; and

(d) The maximum penalty and the default amount for a class 4 civil infraction shall be twenty-five dollars, not including statutory assessments.

(2) The supreme court shall prescribe by rule the conditions under which local courts may exercise discretion in assessing fines for civil infractions.

(3) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

(4) The court may also order a person found to have committed a civil infraction to make restitution.

**Sec. 4.** RCW 10.31.100 and 2010 c 274 s 201 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a

person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((40))~~ (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.90, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

~~((6))~~ (7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

~~((7))~~ (8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

~~((8))~~ (9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

~~((9))~~ (10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

~~((10))~~ (11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

~~((11))~~ (12) Except as specifically provided in subsections (2), (3), (4), and ~~((6))~~ (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((12))~~ (13) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or ~~((8))~~ (9) of this section if the police officer acts in good faith and without malice.

**NEW SECTION. Sec. 5.** A new section is added to chapter 79A.60 RCW to read as follows:

(1) No person who has vessels for hire, or the agent or employee thereof, shall rent, lease, charter, or otherwise permit the use of a vessel, unless the person:

(a) Displays the vessel registration numbers and a valid decal on the vessel hull as required by RCW 88.02.550(1);

(b) Keeps a copy of the vessel registration certificate aboard the vessel, in compliance with RCW 88.02.340;

(c) Displays a carbon monoxide decal on the vessel as required by RCW 88.02.390(2) if the vessel is motor-driven and is not a personal watercraft;

(d) Provides a copy of the rental agreement to be kept aboard during the rental, lease, charter, or use period for vessels required under chapter 88.02 RCW to be registered;

(e) Ensures that the vessel, if motor-propelled, meets the muffler or underwater exhaust system requirement in RCW 79A.60.130;

(f) Outfits the vessel with the quantity and type of personal floatation devices required by RCW 79A.60.140 and 79A.60.160 for the number and ages of the people who will use the vessel;

(g) Explains the personal floatation device requirements to the person renting, leasing, chartering, or otherwise using the vessel;

(h) Equips the vessel with a skier-down flag, and explains observer and personal floatation requirements of RCW 79A.60.170, if the persons renting, leasing, chartering, or otherwise using the vessel will be waterskiing;

(i) If the vessel is a personal watercraft, provides a personal floatation device and a lanyard attached to an engine cutoff switch for the operator to wear at all times when operating the personal watercraft, as required by RCW 79A.60.190;

(j) Reviews with the person operating the vessel, and all other persons who the operator may permit to operate the vessel, all the information contained in the motor vessel safety operating and equipment checklist prescribed by the Washington state parks and recreation commission and required under RCW 79A.60.640(6); and

(k) Provides all other safety equipment required by RCW 79A.60.110 and referenced in the motor vessel safety operating and equipment checklist prescribed by the Washington state parks and recreation commission and required under RCW 79A.60.640(6).

(2) This section does not apply to fishing guides and charter boat operators who have a United States coast guard operator's license and are operating on navigable waters, and people who act in the capacity of a paid whitewater river outfitter or guide, or who operate a vessel carrying passengers for hire on whitewater rivers in this state.

(3) As provided in RCW 79A.60.020, a violation of this section is a civil infraction punishable under chapter 7.84 RCW, unless:

(a) The violation is a violation of RCW 88.02.550, which is punished as a class 2 civil infraction; or

(b) The current violation is the person's third violation of the same provision of this chapter during the past three hundred sixty-five days. If it is the person's third violation, then it must be punished as a misdemeanor under RCW 9.92.030.

**Sec. 6.** RCW 79A.60.150 and 1993 c 244 s 13 are each amended to read as follows:

If ((an infraction is issued under this chapter because a vessel does not contain the required equipment and if the operator is not the owner of the vessel, but is operating the vessel with the express or implied permission of the owner, then either or both operator or owner may be cited for the infraction)) a vessel does not contain the safety equipment required under this chapter and the rules of the commission, and the operator is not the owner of the vessel but is operating the vessel with the express or implied permission of the owner, then either the owner or the operator, or both, may be cited for the applicable infraction or charged with the applicable crime."

Correct the title.

Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

(REVISED FOR ENGROSSED: Establishing the Washington coastal marine advisory council and the Washington marine resources advisory council. ) Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass without amendment by Committee on Environment. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5624 Prime Sponsor, Committee on Ways & Means: Aligning high-demand secondary STEM or career and technical education programs with applied baccalaureate programs. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Haler; Maxwell; Pettigrew; Seaquist and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist and Wilcox.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5615 Prime Sponsor, Committee on Higher Education: Concerning the health professional loan repayment and scholarship program. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on Education and without amendment by Committee on Higher Education.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.115.030 and 2011 1st sp.s. c 11 s 205 are each amended to read as follows:

The health professional loan repayment and scholarship program is established for credentialed health professionals and residents serving in health professional shortage areas. The program shall be administered by the office. In administering this program, the office shall:

(1) Select credentialed health care professionals and residents to participate in the loan repayment portion of the loan repayment and scholarship program and select eligible students to participate in the scholarship portion of the loan repayment and scholarship program;

(2) Adopt rules and develop guidelines to administer the program;

(3) Collect and manage repayments from participants who do not meet their service obligations under this chapter;

(4) Publicize the program, particularly to maximize participation among individuals in shortage areas and among populations expected to experience the greatest growth in the workforce;

(5) Solicit and accept grants and donations from public and private sources for the program;

(6) Use a competitive procurement to contract with a fund-raiser to solicit and accept grants and donations from private sources for the program. The fund-raiser shall be paid on a contingency fee basis on a sliding scale but must not exceed fifteen percent of the total amount raised for the program each year. The fund-raiser shall not be a registered state lobbyist; and

((6)) (7) Develop criteria for a contract for service in lieu of the service obligation where appropriate, that may be a combination of service and payment."

Correct the title.

Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5630 Prime Sponsor, Committee on Health Care: Implementing recommendations of the adult family home quality assurance panel. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on Health & Human Services and without amendment by Committee on Health Care & Wellness.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 70.128 RCW to read as follows:

(1) The protection of vulnerable residents living in adult family homes and other long-term care facilities in the state is a matter of ongoing concern and grave importance. In 2011, the legislature examined problems with the quality of care and oversight of adult family homes in Washington. The 2011 legislature passed Engrossed Substitute House Bill No. 1277 to address some of these issues, and in addition, created an adult family home quality assurance panel, chaired by the state long-term care ombudsman, to meet and make recommendations to the governor and legislature by December 1, 2012, for further improvements in adult family home care and the oversight of the homes by the department of social and health services.

(2) The legislature recognizes that significant progress has been made over the years in adult family home care, and that many adult family homes provide high quality care and are the preferred alternative for many residents in contrast to a larger care facility setting. The legislature finds however that the quality of care in some adult family homes would be improved, and abuse and neglect would decline, if these homes' caregivers and providers received better training and mentoring, residents and their families were more informed and able to select an appropriate home, and oversight by the department of social and health services was more vigorous and prompt against poorly performing homes. It is therefore the intent of the legislature to enact the recommendations included in the adult family home quality assurance panel report in order to improve the quality of care of vulnerable residents and the department's oversight of adult family homes.

**Sec. 2.** RCW 70.128.060 and 2011 1st sp.s. c 3 s 403 are each amended to read as follows:

(1) An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires.

(2) Subject to the provisions of this section, the department shall issue a license to an adult family home if the department finds that the applicant and the home are in compliance with this chapter and the rules adopted under this chapter. The department may not issue a license if (a) the applicant or a person affiliated with the applicant has prior violations of this chapter relating to the adult family home subject to the application or any other adult family home, or of any other law regulating residential care facilities within the past ten years that resulted in revocation, suspension, or nonrenewal of a license or contract with the department; or (b) the applicant or a person affiliated with the applicant has a history of significant noncompliance with federal, state, or local laws, rules, or regulations relating to the provision of care or services to vulnerable adults or to children. A person is considered affiliated with an applicant if the person is listed on the license application as a partner, officer, director, resident manager, or majority owner of the applying entity, or is the spouse of the applicant.

(3) The license fee shall be submitted with the application.

(4) Proof of financial solvency must be submitted when requested by the department.

(5) The department shall serve upon the applicant a copy of the decision granting or denying an application for a license. An applicant shall have the right to contest denial of his or her application for a license as provided in chapter 34.05 RCW by requesting a hearing in writing within twenty-eight days after receipt of the notice of denial.

(6) The department shall not issue a license to a provider if the department finds that the provider or spouse of the provider or any partner, officer, director, managerial employee, or majority owner has a history of significant noncompliance with federal or state regulations, rules, or laws in providing care or services to vulnerable adults or to children.

(7) The department shall license an adult family home for the maximum level of care that the adult family home may provide. The department shall define, in rule, license levels based upon the education, training, and caregiving experience of the licensed provider or staff.

(8) For adult family homes that serve residents with special needs such as dementia, developmental disabilities, or mental illness, specialty training is required of providers and resident managers consistent with RCW 70.128.230, and also is required for caregivers, with standardized competency testing for caregivers hired after the effective date of this section, as set forth by the department in rule. The department shall examine, with input from experts, providers, consumers, and advocates, whether the existing specialty training courses are adequate for providers, resident managers, and caregivers to meet these residents' special needs, are sufficiently standardized in curricula and instructional techniques, and are accompanied by effective tools to fairly evaluate successful student completion. The department may enhance the existing specialty training requirements by rule, and may update curricula, instructional techniques, and competency testing based upon its review and stakeholder input. In addition, the department shall examine, with input from experts, providers, consumers, and advocates, whether additional specialty training categories should be created for adult family homes serving residents with other special needs, such as traumatic brain injury, skilled nursing, or bariatric care. The department may establish, by rule, additional specialty training categories and requirements for providers, resident managers, and caregivers, if needed to better serve residents with such special needs.

(9) The department shall establish, by rule, standards used to license nonresident providers and multiple facility operators.

~~((9))~~ (10) The department shall establish, by rule, for multiple facility operators educational standards substantially equivalent to recognized national certification standards for residential care administrators.

~~((40))~~ (11) At the time of an application for an adult family home license and upon the annual fee renewal date set by the department, the licensee shall pay a license fee. Beginning July 1, 2011, the per bed license fee and any processing fees, including the initial license fee, must be established in the omnibus appropriations act and any amendment or additions made to that act. The license fees established in the omnibus appropriations act and any amendment or additions made to that act may not exceed the department's annual licensing and oversight activity costs and must include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

~~((44))~~ (12) A provider who receives notification of the department's initiation of a denial, suspension, nonrenewal, or revocation of an adult family home license may, in lieu of appealing the department's action, surrender or relinquish the license. The department shall not issue a new license to or contract with the provider, for the purposes of providing care to vulnerable adults or children, for a period of twenty years following the surrendering or relinquishment of the former license. The licensing record shall indicate that the provider relinquished or surrendered the license, without admitting the violations, after receiving notice of the department's initiation of a denial, suspension, nonrenewal, or revocation of a license.

~~((42))~~ (13) The department shall establish, by rule, the circumstances requiring a change in the licensed provider, which include, but are not limited to, a change in ownership or control of the adult family home or provider, a change in the provider's form of legal organization, such as from sole proprietorship to partnership or corporation, and a dissolution or merger of the licensed entity with another legal organization. The new provider is subject to the provisions of this chapter, the rules adopted under this chapter, and other applicable law. In order to ensure that the safety of residents is not compromised by a change in provider, the new provider is responsible for correction of all violations that may exist at the time of the new license.

NEW SECTION. Sec. 3. A new section is added to chapter 70.128 RCW to read as follows:

(1) In order to enhance the selection of an appropriate adult family home, all adult family homes licensed under this chapter shall disclose the scope of, and charges for, the care, services, and activities provided by the home or customarily arranged for by the home. The disclosure must be provided to the home's residents and the residents' representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request, using standardized disclosure forms developed by the department with stakeholders' input. The home may also disclose supplemental information to prospective residents and other interested persons.

(2)(a) The disclosure forms that the department develops must be standardized, reasonable in length, and easy to read. The form setting forth the scope of an adult family home's care, services, and activities must be available from the adult family home through a link to the department's web site developed pursuant to this section. This form must indicate, among other categories, the scope of personal care and medication service provided, the scope of skilled nursing services or nursing delegation provided or available, any specialty care designations held by the adult family home, the customary number of caregivers present during the day and whether the home has awake staff at night, any particular cultural or language access available, and clearly state whether the home admits medicaid clients or retains residents who later become eligible for medicaid. The adult family home shall provide or arrange for the care, services, and activities disclosed in its form.

(b) The department must also develop a second standardized disclosure form with stakeholders' input for use by adult family homes to set forth an adult family home's charges for its care, services, items, and activities, including the charges not covered by

the home's daily or monthly rate, or by medicaid, medicare, or other programs. This form must be available from the home and disclosed to residents and their representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request.

(3)(a) If the adult family home decreases the scope of care, services, or activities it provides, due to circumstances beyond the home's control, the home shall provide a minimum of thirty days' written notice to the residents, and the residents' representative if any, before the effective date of the decrease in the scope of care, services, or activities provided.

(b) If the adult family home voluntarily decreases the scope of care, services, or activities it provides, and any such decrease will result in the discharge of one or more residents, then ninety days' written notice must be provided prior to the effective date of the decrease. Notice must be given to the residents and the residents' representative, if any.

(c) If the adult family home increases the scope of care, services, or activities it provides, the home shall promptly provide written notice to the residents, and the residents' representative if any, and shall indicate the date on which the increase is effective.

(4) When the care needs of a resident exceed the disclosed scope of care or services that the adult family home provides, the home may exceed the care or services previously disclosed, provided that the additional care or services are permitted by the adult family home's license, and the home can safely and appropriately serve the resident with available staff or through the provision of reasonable accommodations required by state or federal law. The provision of care or services to a resident that exceed those previously disclosed by the home does not mean that the home is capable of or required to provide the same care or services to other residents, unless required as a reasonable accommodation under state or federal law.

(5) An adult family home may deny admission to a prospective resident if the home determines that the needs of the prospective resident cannot be met, so long as the adult family home operates in compliance with state and federal law, including RCW 70.129.030(3) and the reasonable accommodation requirements of state and federal antidiscrimination laws.

(6) The department shall work with consumers, advocates, and other stakeholders to combine and improve existing web resources to create a more robust, comprehensive, and user-friendly web site for family members, residents, and prospective residents of adult family homes in Washington. The department may contract with outside vendors and experts to assist in the development of the web site. The web site should be easy to navigate and have links to information important for residents, prospective residents, and their family members or representatives including, but not limited to: (a) Explanations of the types of licensed long-term care facilities, levels of care, and specialty designations; (b) lists of suggested questions when looking for a care facility; (c) warning signs of abuse, neglect, or financial exploitation; and (d) contact information for the department and the long-term care ombudsman. In addition, the consumer oriented web site should include a searchable list of all adult family homes in Washington, with links to inspection and investigation reports and any enforcement actions by the department for the previous three years. If a violation or enforcement remedy is deleted, rescinded, or modified under RCW 70.128.167 or chapter 34.05 RCW, the department shall make the appropriate changes to the information on the web site as soon as reasonably feasible, but no later than thirty days after the violation or enforcement remedy has been deleted, rescinded, or modified. To facilitate the comparison of adult family homes, the web site should also include a link to each licensed adult family home's disclosure form required by subsection (2)(a) of this section. The department's web site should also include periodically updated information about whether an adult family home has a current vacancy, if the home provides such information to the

department, or may include links to other consumer-oriented web sites with the vacancy information.

**Sec. 4.** RCW 70.128.160 and 2011 1st sp.s. c 3 s 208 are each amended to read as follows:

(1) The department is authorized to take one or more of the actions listed in subsection (2) of this section in any case in which the department finds that an adult family home provider has:

(a) Failed or refused to comply with the requirements of this chapter or the rules adopted under this chapter;

(b) Operated an adult family home without a license or under a revoked license;

(c) Knowingly or with reason to know made a false statement of material fact on his or her application for license or any data attached thereto, or in any matter under investigation by the department; or

(d) Willfully prevented or interfered with any inspection or investigation by the department.

(2) When authorized by subsection (1) of this section, the department may take one or more of the following actions:

(a) Refuse to issue a license;

(b) Impose reasonable conditions on a license, such as correction within a specified time, training, and limits on the type of clients the provider may admit or serve;

(c) Impose civil penalties of at least one hundred dollars per day per violation;

(d) Impose civil penalties of up to three thousand dollars for each incident that violates adult family home licensing laws and rules, including, but not limited to, chapters 70.128, 70.129, 74.34, and 74.39A RCW and related rules. Each day upon which the same or substantially similar action occurs is a separate violation subject to the assessment of a separate penalty;

(e) Impose civil penalties of up to ten thousand dollars for a current or former licensed provider who is operating an unlicensed home;

(f) Suspend, revoke, or refuse to renew a license; or

(g) Suspend admissions to the adult family home by imposing stop placement.

(3) When the department orders stop placement, the facility shall not admit any person until the stop placement order is terminated. The department may approve readmission of a resident to the facility from a hospital or nursing home during the stop placement. The department shall terminate the stop placement (~~when~~) only after: (a) The violations necessitating the stop placement have been corrected; and (b) the provider exhibits the capacity to maintain correction of the violations previously found deficient. However, if upon the revisit the department finds new violations that the department reasonably believes will result in a new stop placement, the previous stop placement shall remain in effect until the new stop placement is imposed. In order to protect the home's existing residents from potential ongoing neglect, when the provider has been cited for a violation that is repeated, uncorrected, pervasive, or presents a threat to the health, safety, or welfare of one or more residents, and the department has imposed a stop placement, the department shall also impose a condition on license or other remedy to facilitate or spur prompter compliance if the violation has not been corrected, and the provider has not exhibited the capacity to maintain correction, within sixty days of the stop placement.

(4) Nothing in subsection (3) of this section is intended to apply to stop placement imposed in conjunction with a license revocation or summary suspension or to prevent the department from imposing a condition on license or other remedy prior to sixty days after a stop placement, if the department considers it necessary to protect one or more residents' well-being. After a department finding of a violation for which a stop placement has been imposed, the department shall make an on-site revisit of the provider within fifteen working days from the request for revisit, to ensure correction of the violation. For violations that are serious or recurring or uncorrected following a

previous citation, and create actual or threatened harm to one or more residents' well-being, including violations of residents' rights, the department shall make an on-site revisit as soon as appropriate to ensure correction of the violation. Verification of correction of all other violations may be made by either a department on-site revisit or by written or photographic documentation found by the department to be credible. This subsection does not prevent the department from enforcing license suspensions or revocations. Nothing in this subsection shall interfere with or diminish the department's authority and duty to ensure that the provider adequately cares for residents, including to make departmental on-site revisits as needed to ensure that the provider protects residents, and to enforce compliance with this chapter.

(5) Chapter 34.05 RCW applies to department actions under this section, except that orders of the department imposing license suspension, stop placement, or conditions for continuation of a license are effective immediately upon notice and shall continue in effect pending any hearing.

(6) A separate adult family home account is created in the custody of the state treasurer. All receipts from civil penalties imposed under this chapter must be deposited into the account. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The department shall use the special account only for promoting the quality of life and care of residents living in adult family homes.

(7) The department shall by rule specify criteria as to when and how the sanctions specified in this section must be applied. The criteria must provide for the imposition of incrementally more severe penalties for deficiencies that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. The criteria shall be tiered such that those homes consistently found to have deficiencies will be subjected to increasingly severe penalties. The department shall implement prompt and specific enforcement remedies without delay for providers found to have delivered care or failed to deliver care resulting in problems that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. In the selection of remedies, the health, safety, and well-being of residents must be of paramount importance.

**NEW SECTION. Sec. 5.** A new section is added to chapter 70.128 RCW to read as follows:

(1) If during an inspection, reinspection, or complaint investigation by the department, an adult family home corrects a violation or deficiency that the department discovers, the department shall record and consider such violation or deficiency for purposes of the home's compliance history; however, the licensor or complaint investigator may not include in the home's report the violation or deficiency if the violation or deficiency:

- (a) Is corrected to the satisfaction of the department prior to the exit conference;
- (b) Is not recurring; and
- (c) Did not pose a significant risk of harm or actual harm to a resident.

(2) For the purposes of this section, "recurring" means that the violation or deficiency was found under the same regulation or statute in one of the two most recent preceding inspections, reinspections, or complaint investigations.

**NEW SECTION. Sec. 6.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2013, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 4, 2013

**SSB 5760**

Prime Sponsor, Committee on Natural Resources & Parks: Providing compensation for commercial crop damage caused by bighorn sheep. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

**ESB 5860**

Prime Sponsor, Senator Padden: Addressing legal proceedings by the attorney general on behalf of superior court judges. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

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

Passed to Committee on Rules for second reading.

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

**SECOND READING**

**SUBSTITUTE SENATE BILL NO. 5021, by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Carrell)**

**Changing the crime of riot to the crime of criminal mischief.**

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 and Hayes spoke in favor of the passage of the bill.

**MOTIONS**

On motion of Representative MacEwan, Representatives DeBolt, Hope and Walsh were excused. On motion of Representative Farrell, Representatives Fitzgibbon, Lias and Pettigrew were excused.



The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5021.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5021, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5021, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5022, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Sheldon and Carrell)**

**Changing retail theft with extenuating circumstances to retail theft with special circumstances.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 58, March 12, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5022, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5022, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5022, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5046, by Senators Padden, Kline, Keiser, Harper, Shin and Kohl-Welles**

**Modifying the mandatory retirement provision for district judges.**

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5046.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5046, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5046, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5050, by Senators Sheldon, King, Ericksen and Litzow**

**Authorizing registered tow truck operators to carry passengers in a vehicle attached to a flatbed tow truck under certain situations.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 67, March 21, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5050, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5050, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5050, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5077, by Senate Committee on Commerce & Labor (originally sponsored by Senators Kohl-Welles, Holmquist Newbry and Keiser)**

**Making technical corrections to certain gender-based terms.**

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 Pedersen 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 Senate Bill No. 5077.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5077, and the bill passed the House by the following vote: Yeas, 70; Nays, 22; Absent, 0; Excused, 6.

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

Voting nay: Representatives Angel, Buys, Condotta, Crouse, Haler, Hargrove, Hayes, Holy, Klippert, Kretz, Kristiansen, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor and Vick.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5077, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5102, by Senators Pearson, Darneille, Padden, Kohl-Welles and Conway**

**Concerning veterinarian immunity from liability when reporting suspected animal cruelty.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 65, March 19, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5102, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5102, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5102, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5114, by Senators Bailey, Hobbs, Roach, Becker, Carrell, Dammeier, Benton, Honeyford, Padden and King**

**Regarding access to K-12 campuses for occupational or educational information.**

The bill was read the second time.

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

Representatives Santos and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5114.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5114, and the bill passed the House by the following vote: Yeas, 91; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, 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, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Taylor.

Excused: Representatives DeBolt, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5114, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5135, by Senate Committee on Law & Justice (originally sponsored by Senators Pearson, Kline and Padden)**

**Concerning judicial proceedings and forms.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 73, March 27, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5135, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5135, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5135, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5148, by Senate Committee on Health Care (originally sponsored by Senators Keiser, Becker, Cleveland, Conway, Frockt, Parlette, Rolfes, Kohl-Welles, Schlicher and Kline)**

**Allowing for redistribution of medications under certain conditions.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

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

Representative Jinkins 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 Substitute Senate Bill No. 5148, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5148, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Harris, Hawkins, Hayes, 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, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Haler, Holy, Nealey, Overstreet, Pike, Schmick, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5148, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5153, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Carrell, Darneille, Pearson and Schlicher)**

**Concerning transfers of clients between regional support networks.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

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

Representatives Jinkins and Schmick 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 Senate Bill No. 5153, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5153, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5153, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5161, by Senators Braun, Carrell, Padden, Bailey, Becker, Fain, Roach, Sheldon, Dammeier, Honeyford, Schoesler, Conway, Rolfes and Kohl-Welles**

**Authorizing certain eligible family members of United States armed forces members who died while in service or as a result of service to apply for gold star license plates.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 67, March 21, 2013).

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

Representatives Moscoso and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5161, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5161, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SENATE BILL NO. 5161, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5186, by Senators Roach, Conway, Benton, Chase and Shin**

**Concerning contractor's bond.**

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 Takko spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5186.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5186, and the bill passed the House by the following vote: Yeas, 89; Nays, 5; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Parker, Pedersen, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

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

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SENATE BILL NO. 5186, having received the necessary constitutional majority, was declared passed.

#### **SENATE BILL NO. 5207, by Senators Fain, Benton, Hobbs, Roach, Nelson, Mullet, Hatfield and Keiser**

##### **Addressing the consumer loan 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 Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5207.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5207, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SENATE BILL NO. 5207, having received the necessary constitutional majority, was declared passed.

#### **SUBSTITUTE SENATE BILL NO. 5210, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Nelson and Hatfield)**

##### **Regulating mortgage brokers.**

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 Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5210.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5210, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5210, having received the necessary constitutional majority, was declared passed.

#### **ENGROSSED SENATE BILL NO. 5221, by Senators Kohl-Welles, Carrell and Darnelle**

##### **Requiring notification of release of a person following dismissal of charges based on incompetence to stand trial.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5221, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5221, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Sequist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5221, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5227, by Senate Committee on Commerce & Labor (originally sponsored by Senators Schoesler, Holmquist Newbry, Delvin, Hatfield, Shin, King, Hobbs, Sheldon, Padden, Honeyford, Dammeier and Roach)**

**Changing the corporate officer provisions of the employment security act.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor & Workforce Development was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5227, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5227, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Sea Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5227, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

### SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 8, 2013

#### HB 1920

Prime Sponsor, Representative Ormsby: Preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013

#### HB 1957

Prime Sponsor, Representative Clibborn: Concerning department of transportation project delivery. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Angel; Rodne and Shea.

Passed to Committee on Rules for second reading.

April 8, 2013

HB 1971 Prime Sponsor, Representative Carlyle: Concerning communications services reform. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Finance. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Dahlquist; Harris; Parker; Pike; Ross and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

HB 2016 Prime Sponsor, Representative Jinkins: Concerning a hospital safety net assessment. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; Buys; Dahlquist; Haler; Pike; Ross and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

HB 2022 Prime Sponsor, Representative Jinkins: Concerning dispensing contraceptive drugs for medicaid enrollees. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

SSB 5072

Prime Sponsor, Committee on Ways & Means: Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Finance and without amendment by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013

E2SSB 5078 Prime Sponsor, Committee on Ways & Means: Modifying the property tax exemption for nonprofit fairs. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Hansen; Lytton; Pollet; Springer; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon and Reykdal.

Passed to Committee on Rules for second reading.

April 4, 2013

ESB 5104 Prime Sponsor, Senator Mullet: Placing epinephrine autoinjectors in schools. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on Education and without amendment by Committee on Education. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

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

Passed to Committee on Rules for second reading.

April 4, 2013

ESSB 5118 Prime Sponsor, Committee on Human Services & Corrections: Addressing access to original birth certificates after adoption finalization. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 4, 2013  
SSB 5123 Prime Sponsor, Committee on Ways & Means:  
 Establishing a farm internship program. Reported  
 by Committee on Appropriations Subcommittee  
 on Health & Human Services

MAJORITY recommendation: Do pass. Signed by  
 Representatives Morrell, Chair; Cody; Green; Jinkins; Kagi  
 and Ormsby.

MINORITY recommendation: Do not pass. Signed by  
 Representatives Harris, Ranking Minority Member; Pike; Ross  
 and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013  
ESSB 5176 Prime Sponsor, Committee on Human Services &  
 Corrections: Addressing criminal incompetency  
 and civil commitment. Reported by Committee  
 on Appropriations

MAJORITY recommendation: Do pass as amended by  
 Committee on Appropriations and without amendment by  
 Committee on Judiciary. Signed by Representatives Hunter,  
 Chair; Ormsby, Vice Chair; Alexander, Ranking Minority  
 Member; Chandler, Assistant Ranking Minority Member;  
 Wilcox, Assistant Ranking Minority Member; Buys; Carlyle;  
 Cody; Dahlquist; Dunshee; Fagan; Haigh; Haler; Harris;  
 Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen;  
 Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by  
 Representatives Green; Parker; Pike and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013  
2SSB 5197 Prime Sponsor, Committee on Ways & Means:  
 Taking measures to promote safe school  
 buildings. Reported by Committee on Capital  
 Budget

MAJORITY recommendation: Do pass as amended by  
 Committee on Capital Budget and without amendment by  
 Committee on Education. Signed by Representatives Dunshee,  
 Chair; Stanford, Vice Chair; Warnick, Ranking Minority  
 Member; Hawkins, Assistant Ranking Minority Member;  
 MacEwen, Assistant Ranking Minority Member; Appleton;  
 Fey; Riccelli; Scott; Smith and Stonier.

Passed to Committee on Rules for second reading.

April 4, 2013  
ESB 5206 Prime Sponsor, Senator Becker: Authorizing  
 occupational therapists, occupational therapy  
 assistants, dietitians, and nutritionists to  
 participate in online access to the University of  
 Washington health sciences library. (REVISED  
 FOR ENGROSSED: Increasing the health  
 professions participating in online access to the  
 University of Washington health sciences library.  
 ) Reported by Committee on Appropriations  
 Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by  
 Committee on Health Care & Wellness. Signed by  
 Representatives Morrell, Chair; Harris, Ranking Minority  
 Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and  
 Schmick.

Passed to Committee on Rules for second reading.

April 5, 2013  
2SSB 5213 Prime Sponsor, Committee on Ways & Means:  
 Concerning prescription review for medicaid  
 managed care enrollees. Reported by Committee  
 on Appropriations

MAJORITY recommendation: Do pass as amended by  
 Committee on Appropriations and without amendment by  
 Committee on Health Care & Wellness. Signed by  
 Representatives Hunter, Chair; Ormsby, Vice Chair;  
 Alexander, Ranking Minority Member; Chandler, Assistant  
 Ranking Minority Member; Wilcox, Assistant Ranking  
 Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee;  
 Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins;  
 Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross;  
 Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013  
E2SSB 5237 Prime Sponsor, Committee on Ways & Means:  
 Establishing accountability for student  
 performance in reading. Reported by Committee  
 on Appropriations

MAJORITY recommendation: Do pass as amended by  
 Committee on Education. Signed by Representatives Hunter,  
 Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green;  
 Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell;  
 Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by  
 Representatives Alexander, Ranking Minority Member;  
 Chandler, Assistant Ranking Minority Member; Wilcox,  
 Assistant Ranking Minority Member; Buys; Dahlquist; Fagan;  
 Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013  
E2SSB 5244 Prime Sponsor, Committee on Ways & Means:  
 Regarding school suspensions and expulsions.  
 Reported by Committee on Appropriations

MAJORITY recommendation: Do pass without amendment  
 by Committee on Education. Signed by Representatives  
 Hunter, Chair; Alexander, Ranking Minority Member; Wilcox,  
 Assistant Ranking Minority Member; Carlyle; Dahlquist;  
 Dunshee; Fagan; Green; Haigh; Hunt; Jinkins; Kagi; Maxwell;  
 Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by  
 Representatives Ormsby, Vice Chair; Chandler, Assistant  
 Ranking Minority Member; Buys; Cody; Haler; Harris;  
 Hudgins; Morrell; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.



April 4, 2013  
SSB 5315 Prime Sponsor, Committee on Human Services & Corrections: Implementing the recommendations made by the Powell fatality team. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013  
E2SSB 5329 Prime Sponsor, Committee on Ways & Means: Assisting persistently lowest-achieving schools to become more accountable. (REVISED FOR ENGROSSED: Transforming persistently failing schools. ) Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013  
SSB 5332 Prime Sponsor, Committee on Governmental Operations: Modifying the percentage of votes required to continue benefit charges for fire protection districts. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013  
SB 5349 Prime Sponsor, Senator Dammeier: Revising alternative public works contracting procedures. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; MacEwen, Assistant

Ranking Minority Member; Appleton; Fey; Riccelli; Smith and Stonier.

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

Passed to Committee on Rules for second reading.

April 4, 2013  
SSB 5362 Prime Sponsor, Committee on Commerce & Labor: Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013  
E2SSB 5405 Prime Sponsor, Committee on Ways & Means: Concerning extended foster care services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Early Learning & Human Services.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that the federal fostering connections to success and increasing adoptions act of 2008 provides important new opportunities to increase the impact of state funding through maximizing the amount of federal funding available to promote permanency and positive outcomes for dependent youth.

(2) The legislature also finds that children and adolescents who are legal dependents of Washington state have experienced significant trauma and loss, putting them at increased risk for poor life outcomes. Longitudinal research on the adult functioning of former foster youth indicates a disproportionate likelihood that youth aging out of foster care and those who spent several years in care will experience poor outcomes in a variety of areas, including limited human capital upon which to build economic security and inability to fully take advantage of secondary and postsecondary educational opportunities, untreated mental or behavioral health problems, involvement in the criminal justice and corrections systems, and early parenthood combined with second-generation child welfare involvement.

(3) The legislature further finds that research also demonstrates that access to adequate and appropriate supports during the period of transition from foster care to independence can have significant positive impacts on adult functioning and can improve outcomes relating to educational attainment and postsecondary enrollment, employment and earnings, and reduced rates of teen pregnancies.

**Sec. 2.** RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and

responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" means:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of social and health services.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(9) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(10) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(11) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior

court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(12) "Housing assistance" means appropriate referrals by the department or other supervising agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or time-limited family reunification service as described in RCW 13.34.025(2).

(13) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty-five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(14) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(15) "Preventive services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child.

(16) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(17) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(18) "Social study" means a written evaluation of matters relevant to the disposition of the case and shall contain the following information:

(a) A statement of the specific harm or harms to the child that intervention is designed to alleviate;

(b) A description of the specific services and activities, for both the parents and child, that are needed in order to prevent serious harm to the child; the reasons why such services and activities are likely to be useful; the availability of any proposed services; and the agency's overall plan for ensuring that the services will be delivered. The description shall identify the services chosen and approved by the parent;

(c) If removal is recommended, a full description of the reasons why the child cannot be protected adequately in the home, including a description of any previous efforts to work with the parents and the child in the home; the in-home treatment programs that have been considered and rejected; the preventive services, including housing assistance, that have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home; and the parents' attitude toward placement of the child;

(d) A statement of the likely harms the child will suffer as a result of removal;

(e) A description of the steps that will be taken to minimize the harm to the child that may result if separation occurs including an assessment of the child's relationship and emotional bond with any siblings, and the agency's plan to provide ongoing contact between the child and the child's siblings if appropriate; and

(f) Behavior that will be expected before determination that supervision of the family or placement is no longer necessary.

(19) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

(20) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years, or who is released from the juvenile rehabilitation administration and had an open dependency proceeding at the time of his or her commitment, and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(21) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings.

**Sec. 3.** RCW 13.34.145 and 2011 c 330 s 6 are each amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than twelve months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than ten working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) When the youth is at least age seventeen years but not older than seventeen years and six months, the department shall provide the youth with written documentation which explains the availability of extended foster care services and detailed instructions regarding how the youth may access such services after he or she reaches age

eighteen

years.

(4) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department or supervising agency and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department or supervising agency staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for fifteen of the most recent twenty-two months, not including any period during which the child was a runaway from the out-of-home placement or the first six months of any period during which the child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department or supervising agency to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

(A) Being returned safely to his or her home;

(B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;

(C) Being placed for adoption;

(D) Being placed with a guardian;

(E) Being placed in the home of a fit and willing relative of the child; or

(F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

At this hearing, the court shall order the department or supervising agency to file a petition seeking termination of parental rights if the child has been in out-of-home care for fifteen of the last twenty-two months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child. For purposes of this section, "good cause exception" includes but is not limited to the following: The child is being cared for by a relative; the department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home; or the department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests.

(c)(i) If the permanency plan identifies independent living as a goal, the court shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will

inquire whether the child has been provided information about extended foster care services.

(ii) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(iii) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(d) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(i) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(ii) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

~~((4))~~ (5) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

~~((5))~~ (6) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

~~((6))~~ (7) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

~~((7))~~ (8) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

~~((8))~~ (9) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

~~((9))~~ (10) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection ~~((8))~~ (9) of this section are met.

~~((10))~~ (11) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising

agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

~~((11))~~ (12) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

~~((12))~~ (13) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter.

**Sec. 4.** RCW 13.34.267 and 2012 c 52 s 4 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court shall postpone for six months the dismissal of a dependency proceeding for any ~~((child))~~ youth who is a dependent child in foster care at the age of eighteen years and who, at the time of his or her eighteenth birthday, is:

(a) Enrolled in a secondary education program or a secondary education equivalency program; ~~((or))~~

(b) Enrolled and participating in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program; or

(c) Participating in a program or activity designed to promote employment or remove barriers to employment.

(2)(a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency. The court shall dismiss the dependency if the youth:

(i) Has not requested extended foster care services from the department by the end of the six-month period; or

(ii) Is no longer eligible for extended foster care services under RCW 74.13.031(10) at any point during the six-month period.

(b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth.

(3) ~~((A youth who participates in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster care services for the purpose of participating in a postsecondary academic or postsecondary vocational education program if, at the time the secondary education or equivalency program is completed, the youth has applied to and can demonstrate that he or she intends to timely enroll in a postsecondary academic or vocational education program. The dependency shall be dismissed if the youth fails to timely enroll or continue in the postsecondary program, or reaches age twenty-one, whichever is earlier.~~

(4)) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years.

~~((5))~~ (4) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services. The department may establish foster care rates appropriate to the needs of the youth participating in extended foster care services.

~~((6))~~ (5) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.

~~((7))~~ (6) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review

requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:

- (a) Whether the youth is safe in his or her placement;
- (b) Whether the youth continues to be eligible for extended foster care services;
- (c) Whether the current placement is developmentally appropriate for the youth;
- (d) The youth's development of independent living skills; and
- (e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

~~((8))~~ (7) Prior to the review hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

~~((9))~~ (8) Upon the request of the youth, or when the youth is no longer eligible to receive extended foster care services according to rules adopted by the department, the court shall dismiss the dependency.

**Sec. 5.** RCW 74.13.020 and 2012 c 205 s 12 are each amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

- (a) A person less than eighteen years of age; or
- (b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services may include ~~(, but are not limited to,)~~ placement in licensed, relative, or otherwise approved care, or

supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(9) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(10) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(11) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(12) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(13) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(14) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years, or who is released from the juvenile rehabilitation administration and had an open dependency proceeding at the time of his or her commitment, and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(15) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings.

**Sec. 6.** RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

- (a) A person less than eighteen years of age; or
- (b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(11) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(12) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(13) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(14) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(15) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years, or who is released from the juvenile rehabilitation administration and had an open dependency proceeding at the time of his or her commitment, and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(16) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings.

**Sec. 7.** RCW 74.13.031 and 2012 c 52 s 2 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced

visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(6) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95- 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) The department and supervising agency shall have authority to purchase care for children.

(9) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program(,-----or);

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program; or

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(b) The nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(11) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (10) of this section.

(12) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(13) The department and supervising agencies shall have authority within funds appropriated for foster care services to

purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(14) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(15) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty- one years of age who are or have been in foster care.

(16) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(17)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community- based organization and must be updated as needed.

**Sec. 8.** RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are each reenacted and amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW

74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95- 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and

advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program(~~(or)~~);

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program; or

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(b) The nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty- one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that



strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

**NEW SECTION. Sec. 9.** This act applies prospectively only and not retroactively. It applies to:

(1) Dependency matters that have an open court case on the effective date of this section; and

(2) Dependency matters for which a petition is filed on or after the effective date of this section.

**NEW SECTION. Sec. 10.** Sections 5 and 7 of this act expire December 1, 2013.

**NEW SECTION. Sec. 11.** Sections 6 and 8 of this act take effect December 1, 2013."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell, Member; Morrell; Parker; Pedersen; Pettigrew; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Halder; Pike; Ross and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013  
SSB 5444 Prime Sponsor, Committee on Governmental Operations: Concerning the administration of taxes regarding publicly owned property. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 5, 2013  
ESSB 5480 Prime Sponsor, Committee on Human Services & Corrections: Accelerating changes to mental health involuntary commitment laws. (REVISED FOR ENGROSSED: Concerning mental health

involuntary commitment laws. ) Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Fagan; Green; Haigh; Halder; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013  
ESSB 5491 Prime Sponsor, Committee on Early Learning & K-12 Education: Establishing statewide indicators of educational health. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Education. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Halder; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

April 5, 2013  
ESSB 5551 Prime Sponsor, Committee on Ways & Means: Concerning competency to stand trial evaluations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Halder; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013  
SSB 5565 Prime Sponsor, Committee on Human Services & Corrections: Concerning background checks for individuals seeking a license under chapter 74.13 RCW or unsupervised access to children. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013  
SB 5593 Prime Sponsor, Senator Smith: Concerning filing requirements for property tax exemption claims for certain improvements to benefit fish and

wildlife habitat, water quality, or water quantity.  
Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 5, 2013

2SSB 5595 Prime Sponsor, Committee on Ways & Means:  
Concerning child care reform. Reported by  
Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

ESSB 5709 Prime Sponsor, Committee on Ways & Means:  
Concerning a pilot program to demonstrate the  
feasibility of using densified biomass to heat  
public schools. Reported by Committee on  
Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** Currently more than a million homes nationwide and approximately fifty thousand homes in Washington state are heated with wood pellets, or densified biomass, in modern high-efficiency appliances. This residential use establishes that many homeowners experience significant cost savings compared to other fossil fuel-based heating systems and that this technology can have a wide and varied acceptance. Bulk delivery that can be facilitated by large volume anchor users such as schools, institutions, and businesses could provide the next step in making this form of renewable energy utilization more efficient and convenient for the consumer. The legislature makes the following findings:

(1) That manufactured and direct thermal conversion of densified biomass is a renewable energy activity;

(2) That much of western Europe, China, Japan, and other Asian countries have chosen to use renewable densified biomass as a renewable energy fuel to heat homes, businesses, and other facilities;

(3) That clean burning, renewable densified biomass will: (a) Lead our country to energy independence; (b) create jobs; (c) stimulate our economy by keeping more of our money circulating in the United States; (d) reduce carbon emissions; (e) improve air quality in noncompliant air sheds; (f) promote healthy forests; and (g) reduce the volume of waste in landfills; that the densified biomass industry will be complimentary to other biofuel industries, providing an outlet

and use for the resultant high lignin by-products and agriculture residuals; and

(4) That a December 2012 report by the Washington State University energy program identified opportunities to develop and expand the in-state manufacturing of densified biomass.

Therefore, it is the intent of the legislature to have the Washington State University energy program conduct a pilot program to demonstrate the feasibility of using densified biomass as a renewable energy source to heat schools and other buildings.

**NEW SECTION. Sec. 2.** (1) Subject to receiving federal and private funds for this purpose, by December 1, 2013, the Washington State University energy program must develop and initiate a pilot program to demonstrate the feasibility of using densified biomass to heat public schools. Two public schools must be chosen for the pilot program, using the following criteria: The school's proximity to a currently operating densified biomass manufacturing facility, the age and condition of the school's current heating system, and the school's design is of a nature that most resembles other schools of its class. The pilot program must consist of the following: The replacement of the school's current heating system with one that uses densified biomass as a fuel; the measurement and evaluation of the heating system, including a cost comparison with other conventional fuels; and the measurement of emissions from the heating system. One of the public schools selected for the pilot must be located in a district in the eastern half of the state and one must be located in a district in the western half of the state.

(2) The office of the superintendent of public instruction must notify all school districts about the pilot project and their opportunity to participate.

(3) By December 31, 2015, the Washington State University energy program must summarize and report its findings to the legislature. The report must include an analysis extrapolating the results to other similarly situated schools in the state.

(4) In designing the pilot program, the Washington State University energy program must seek to leverage other existing private and federal funding programs and resources.

(5) The Washington State University energy program may contract with other entities for assistance in implementing the pilot program.

(6) The pilot program expires December 15, 2015."  
Correct the title.

Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013

2SSB 5732 Prime Sponsor, Committee on Ways & Means:  
Concerning the adult behavioral health system in  
Washington state. Reported by Committee on  
Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

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

Passed to Committee on Rules for second reading.

April 4, 2013  
ESSB 5744 Prime Sponsor, Committee on Commerce & Labor: Monitoring the progress of the logger safety initiative. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Labor & Workforce Development. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jenkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 4, 2013  
SB 5809 Prime Sponsor, Senator Litzow: Changing provisions relating to the home visiting services account. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Haigh, Chair; Carlyle; Haler; Maxwell; Pettigrew; Seaquist and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Fagan, Ranking Minority Member; Dahlquist and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013  
SB 5824 Prime Sponsor, Senator Honeyford: Regarding the financing of irrigation district improvements. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Local Government. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

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

## SECOND READING

**SUBSTITUTE SENATE BILL NO. 5282, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Keiser, Sheldon, Becker, Tom, Parlette, Rivers, Braun, Bailey, Padden, Roach, Litzow, Honeyford and Shin)**

**Creating a statewide database of mental health commitment information.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5282, as amended by the House.

## MOTION

On motion of Representative Harris, Representative Nealey was excused.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5282, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jenkins, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5282, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5352, by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Conway and Hewitt)**

**Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws.**

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 Parker and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5352.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5352, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5352, having received the necessary constitutional majority, was declared passed.

### SENATE BILL NO. 5355, by Senators Holmquist Newbry, Conway, Kohl-Welles and Keiser

#### Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor & Workforce Development was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5355, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5355, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 4; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

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

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5355, as amended by the House, having received the necessary constitutional majority, was declared passed.

### SUBSTITUTE SENATE BILL NO. 5400, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Ericksen and Hewitt)

#### Allowing utilities serving customers in Washington and in other states to use eligible renewable resources located within the western electricity coordinating council area to comply with chapter 19.285 RCW, the energy independence act. Revised for 1st Substitute: Allowing utilities serving customers in Washington and in other states to use eligible renewable resources in their other states to comply with chapter 19.285 RCW, 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 Substitute Senate Bill No. 5400.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5400, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5.

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

Voting nay: Representative McCoy.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5400, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5417, by Senators Mullet, Fain, Hasegawa and Roach**

**Concerning the annexation of unincorporated territory within a code city.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5417, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5417, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Fagan, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, 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, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Farrell, Fitzgibbon, Liias, Scott and Upthegrove.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5417, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5446, by Senators Hobbs, Schoesler, Hatfield and Tom**

**Providing a process for the state auditor's office to apply for investigative subpoenas.**

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5446.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5446, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5446, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5458, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Billig, Ranker, Kohl-Welles and Kline)**

**Concerning the labeling of certain asbestos-containing building materials.**

The bill was read the second time.

Representative Short moved the adoption of amendment (356).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** Asbestos is a known human carcinogen that causes painful, premature deaths due to diseases such as asbestosis, mesothelioma, lung and gastrointestinal cancers, and other diseases and cancers. Activities that can lead to the release of asbestos fibers include installation, use, maintenance, repair, removal, and disposal of asbestos-containing building materials.

Many people are unaware that asbestos-containing building materials are still imported, sold, and used in the United States. Because few regulations exist that require the disclosure of asbestos in building materials, people can unknowingly be exposed to asbestos. Asbestos is generally invisible, odorless, very durable, and highly aerodynamic. Exposure can occur well after it has been disturbed and long distances from where the asbestos release occurred.

The purpose of this chapter is to allow people to make informed decisions regarding whether or not they purchase or use building materials containing asbestos. More specifically, building materials that contain asbestos must be clearly labeled as such by manufacturers, wholesalers, and distributors.

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

(1) "Asbestos" includes the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysotile (serpentine),

crocidolite (riebeckite), anthophyllite, and any of these minerals that have been chemically treated or altered. The chemical abstracts service registry number for each is as follows: Asbestos (1332-21-4), actinolite (13768-00-8), amosite (12172-73-5), tremolite (14567-73-8), chrysotile (12001-29-5), crocidolite (12001-28-4), and anthophyllite (17068-78-9).

(2) "Asbestos-containing building material" means any building material to which asbestos is deliberately added in any concentration or that contains more than one percent asbestos by weight or area as determined using the United States environmental protection agency method for the determination of asbestos in building materials, EPA/600/R-93/116, July 1993.

(3) "Building material" includes materials designed for, or used in, construction, renovation, repair, or maintenance of institutional, commercial, public, industrial, or residential buildings and structures. The term does not include automobiles, recreational vehicles, boats, or other mobile means of transportation.

(4) "Consumer" means any person that acquires a building material for direct use or ownership, rather than for resale or use in production and manufacturing.

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

(6) "Person" means any individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

(7) "Retailer" means any person that sells goods or commodities directly to consumers.

**NEW SECTION. Sec. 3.** (1) Except as otherwise provided in this section or section 4 of this act, it is unlawful to manufacture, wholesale, or distribute for sale an asbestos-containing building material that is not labeled as required by section 5 of this act or as required under federal law, 40 C.F.R. part 763, subpart I, Sec. 173.171 (1994). The labeling requirement also applies to stock-on-hand, meaning any asbestos-containing building material in the possession or control of a manufacturer, wholesaler, or distributor after December 31, 2013, must be labeled.

(2)(a) Subsection (1) of this section does not apply to asbestos-containing building materials that have already been installed, applied, or used by the consumer.

(b) Subsection (1) of this section does not apply to asbestos-containing building materials used solely for United States military purposes.

(3) Any manufacturer, wholesaler, or distributor may submit a written request for an exemption from the labeling requirements of this chapter, and the department may grant such an exemption if it determines that the labeling requirements are technically infeasible or create an undue economic hardship. Each exemption is in effect for a period not to exceed three years from the date issued and is subject to the terms and conditions prescribed by the department.

**NEW SECTION. Sec. 4.** Except for the provisions of section 5(4) of this act, retailers that do not manufacture, wholesale, or distribute asbestos-containing building materials are exempt from this chapter.

**NEW SECTION. Sec. 5.** (1) A label must be placed in a prominent location adjacent to the product name or description on the exterior of the wrapping and packaging in which the asbestos-containing building material is placed for storage, shipment, and sale.

(2) A label must also be placed on the exterior surface of the asbestos-containing building material itself unless it is sold as a liquid or paste, is sand or gravel, or an exemption is granted pursuant to section 3(3) of this act.

(3) Asbestos-containing building materials must have a legible label that clearly identifies it as containing asbestos. At a minimum, the label must state the following:

This product contains ASBESTOS which is known to cause cancer and lung disease. Avoid creating dust. Intentionally removing or tampering with this label is a violation of state law.

(4) Other than inadvertent violations damaging the label in the course of normal transportation and preparation of the asbestos-containing building material for retail sale, it is unlawful for any person to remove, deface, cover, or otherwise obscure or tamper with a label or sticker that has been applied in compliance with this section, unless the asbestos-containing building material is in the possession of the end user.

**NEW SECTION. Sec. 6.** (1) The provisions of this chapter may be enforced by the department, a local air authority formed under chapter 70.94 RCW, or their designees.

(2) Whenever the department or authority determines, after receiving a complaint, that a person has violated any provision of this chapter, the department may issue an order requiring compliance either immediately or within a specified period of time.

(3) Any person who has received a corrective action order under subsection (2) of this section within the preceding twelve calendar months and is determined to have subsequently violated this chapter, or any person who fails to take corrective action as specified by an order issued pursuant to subsection (2) of this section and is subsequently determined to be in continuing violation of this chapter, is liable for a civil penalty of not more than one thousand dollars per day. In the case of a continuing violation, each day's continuance is a separate and distinct violation.

(4) The penalties provided in this section are imposed pursuant to RCW 43.21B.300. All penalties recovered under this chapter by the department must be paid into the state treasury and credited to the air pollution control account established in RCW 70.94.015 or, if recovered by an authority, must be paid into the treasury of an authority and credited to its funds. If a prior penalty for the same violation has been paid to an authority, the penalty imposed by the department under subsection (3) of this section must be reduced by the amount of the payment.

(5) For the purposes of this section, "authority" has the same meaning as defined in RCW 70.94.030.

**Sec. 7.** RCW 43.21B.300 and 2010 c 210 s 12 and 2010 c 84 s 4 are each reenacted and amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70.94.431, 70.95.315, 70.105.080, 70.107.050, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 90.76 RCW ~~and chapter 70.-- RCW (the new chapter created in section 9 of this act)~~, shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within thirty days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if

CAUTION!

the appeal is filed with the hearings board and served on the department or authority thirty days after the date of receipt by the person penalized of the notice imposing the penalty or thirty days after the date of receipt of the notice of disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) Thirty days after receipt of the notice imposing the penalty;

(b) Thirty days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) Thirty days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within thirty days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70.94.431, the disposition of which shall be governed by that provision, RCW 70.105.080, which shall be credited to the hazardous waste control and elimination account created by RCW 70.105.180, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 90.76.080, which shall be credited to the underground storage tank account created by RCW 90.76.100.

**NEW SECTION. Sec. 8.** The department may adopt rules regarding the implementation of this chapter.

**NEW SECTION. Sec. 9.** Sections 1 through 6 and 8 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 Short spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (356) and the amendment was not adopted by the following vote: Yeas: 40 Nays: 53 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, 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

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby,

Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie  
Excused: Representatives DeBolt, Hope, Nealey, Pettigrew, and Walsh

Amendment (356) was not adopted.

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

Representative Upthegrove 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 Senate Bill No. 5458.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5458, and the bill passed the House by the following vote: Yeas, 65; Nays, 28; Absent, 0; Excused, 5.

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

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Klippert, Kochmar, Kretz, Kristiansen, Manweller, Orcutt, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick and Warnick.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5458, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5459, by Senate Committee on Health Care (originally sponsored by Senators Becker, Keiser, Parlette, Dammeier and Kline)**

**Requiring ninety-day supply limits on certain drugs dispensed by a pharmacist.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5459, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5459, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Shea and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5459, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### **SENATE BILL NO. 5465, by Senators Dammeier, Schlicher, Becker, Keiser and McAuliffe**

##### **Concerning exemptions from licensure as a physical therapist.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

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

Representatives Green and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5465, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5465, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey,

Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5465, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### **SENATE BILL NO. 5466, by Senators Carrell, Kohl-Welles and King**

##### **Modifying criminal history record information compliance audit provisions.**

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 Hayes and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5466.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5466, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5466, having received the necessary constitutional majority, was declared passed.

#### **ENGROSSED SENATE BILL NO. 5484, by Senators Kline, Frockt, Ranker, Rolfes, Padden, Fain and Kohl-Welles**



**Concerning assault in the third degree occurring in areas used in connection with court proceedings.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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

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

Representative Scott 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 Senate Bill No. 5484, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5484, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 10; Absent, 0; Excused, 5.

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

Voting nay: Representatives Condotta, Hunter, MacEwen, Orcutt, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5484, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5507, by Senate Committee on Governmental Operations (originally sponsored by Senators Billig, Benton, Rolfes, Rivers, Hatfield, Harper, Ranker, Hasegawa, Frockt, Schlicher, Smith, Fraser, Sheldon, Roach, Kohl-Welles, Keiser, Shin, Murray, McAuliffe, Kline and Conway)**

**Increasing transparency of donors to candidates and ballot measures.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Operations & Elections was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

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

Representatives Bergquist 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 Substitute Senate Bill No. 5507, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5507, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5507, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5517, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hobbs, Hewitt, Hatfield, Honeyford and Shin)**

**Changing the criteria for the beer and wine tasting endorsement for grocery stores.**

The bill was read the second time.

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

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5517.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5517, and the bill passed the House by the following vote: Yeas, 81; Nays, 12; Absent, 0; Excused, 5.

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

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

Voting nay: Representatives Crouse, Goodman, Green, Harris, Kagi, Klippert, Morrell, Orcutt, Ormsby, Scott, Tharinger and Van De Wege.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5517, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5541, by Senators Hobbs, Fain, Hatfield and Harper**

**Concerning the redemption of real property.**

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 Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5541.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5541, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5541, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5556, by Senate Committee on Law & Justice (originally sponsored by Senators Darneille, Dammeier, Schlicher, Conway, Roach, McAuliffe, Becker, Carrell, Delvin and Shin)**

**Concerning missing endangered persons.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

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

Representatives Roberts, Overstreet and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5556, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5556, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5556, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5616, by Senators Sheldon, Smith, Schoesler, Hargrove, Hatfield, Hewitt and Shin**

**Concerning the use of farm vehicles on public highways.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

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

Representatives Liias and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5616, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5616, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5616, as amended by the House, having received the necessary constitutional majority, was declared passed.

### SENATE BILL NO. 5627, by Senators Eide, Parlette, Ranker, Shin and Litzow

#### Concerning the taxation of commuter air carriers.

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (359).

On page 6, after line 12, insert the following:

"**NEW SECTION. Sec. 5.** A new section is added to chapter 84.55 RCW to read as follows:

State and local property taxes levied for collection in 2014 and thereafter must be reduced by the amount of taxes levied in 2013 on aircraft qualifying for the property tax exemption in section 4 of this act."

Re-number the remaining section consecutively.

Correct the title.

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

Representative Carlyle spoke against the adoption of the amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (359) and the amendment was not adopted by the following vote: Yeas: 41 Nays: 52 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove,

Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox, and Zeiger

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

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew, and Walsh

Amendment (359) 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 Pollet and Wilcox spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5627.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5627, and the bill passed the House by the following vote: Yeas, 71; Nays, 22; Absent, 0; Excused, 5.

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

Voting nay: Representatives Condotta, Crouse, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Kretz, Kristiansen, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Stonier and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5627, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5627.

Representative Klippert, 8th District

### SECOND READING

**SENATE BILL NO. 5674, by Senators Kohl-Welles, Smith, Hatfield, Conway, Schoesler, King, Hobbs, Murray, Keiser, Ranker, Harper, Hewitt and Rolfe**

**Allowing wine and beer sampling at farmers markets.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Accountability & Oversight was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

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

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5674, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5674, as amended by the House, and the bill passed the House by the following vote: Yeas, 81; Nays, 12; Absent, 0; Excused, 5.

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

Voting nay: Representatives Crouse, Goodman, Green, Harris, Hudgins, Kagi, Lias, Morrell, Orcutt, Ormsby, Scott and Van De Wege.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5674, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5699, by Senators Ericksen and Kline**

**Concerning electronic product recycling.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day 67, March 21, 2013).

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

Representatives Upthegrove and 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 Engrossed Senate Bill No. 5699, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5699, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, 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, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Holy, Orcutt, Overstreet, Shea and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5699, as amended by the House, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on Engrossed Senate Bill No. 5699.  
Representative Scott, 39th District

**SECOND READING**

**SENATE BILL NO. 5712, by Senators Kohl-Welles, Bailey, McAuliffe, Frockt, Murray, Baumgartner and Keiser**

**Encouraging community colleges to use, and inform students of the use of, multiple measures to determine the need for precollege courses.**

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5712.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5712, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Overstreet and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5712, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5751, by Senators Schoesler, Rivers, Smith, Braun, Baumgartner, Hasegawa, Parlette, Hewitt, Brown and Holmquist Newbry**

**Requiring an inventory of state fees.**

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 Alexander and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5751.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5751, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5751, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

April 9, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1074  
SUBSTITUTE HOUSE BILL NO. 1352  
HOUSE BILL NO. 1442  
HOUSE BILL NO. 1609

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

**SUBSTITUTE SENATE BILL NO. 5761, by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs)**

**Concerning outdoor advertising sign fees, labels, and prohibitions.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, April 1, 2013).

Representative Orcutt moved the adoption of amendment (361) to the committee amendment:

On page 1, line 20 of the striking amendment, after "renewed" strike "annually" and insert "~~(annually)~~ every five years"

On page 2, line 3 of the striking amendment, after "rule" strike "an annual fee" and insert "a fee every five years"

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

Representative Liias spoke against the adoption of the amendment to the committee amendment.

Amendment (361) to the committee amendment was not adopted.

Representative Orcutt moved the adoption of amendment (360) to the committee amendment.

On page 2, beginning on line 2 of the striking amendment, after "notification." strike all material through "income," on line 8

On page 2, line 31 of the striking amendment, after "of" strike "one" and insert "two"

On page 2, line 32 of the striking amendment, after "The" strike "one" and insert "two"

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

Representative Clibborn spoke against the adoption of the amendment to the committee amendment.

Amendment (360) to the committee amendment was not adopted.

The committee amendment was adopted.

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

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

Representatives Orcutt and Shea 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 Senate Bill No. 5761, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5761, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 36; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ross, 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, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5761, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5774, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Holmquist Newbry, McAuliffe, Bailey, Keiser, Conway, Schoesler, Kohl-Welles, Mullet and Kline)**

**Authorizing applications for a special permit to allow alcohol tasting by persons nineteen and twenty years of age under certain circumstances. Revised for 1st Substitute: Authorizing applications for a special permit to allow alcohol tasting by persons at least eighteen years of age under certain circumstances.**

The bill was read the second time.

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

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5774.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5774, and the bill passed the House by the following vote: Yeas, 89; Nays, 4; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, 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, 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, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Green, Harris, Orwall and Van De Wege.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5774, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5786, by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Hargrove)**

**Requiring certain information in commercial fishing guide license applications.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 73, March 27, 2013).

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

Representatives Blake 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 Substitute Senate Bill No. 5786, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5786, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5.

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

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

Voting nay: Representatives Manweller, Overstreet and Scott.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5786, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE JOINT MEMORIAL NO. 8005, by Senators Hargrove, King, Sheldon, Eide, Hobbs, Hatfield, Benton, Padden, Shin and Chase**

**Requesting that state route number 117 be designated as the POW/MIA Memorial Highway.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

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

Representatives Van De Wege and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8005, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8005, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, 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, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE JOINT MEMORIAL NO. 8005, as amended by the House, having received the necessary constitutional majority, was declared passed.

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., April 10, 2013, the 87th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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