

SIXTIETH LEGISLATURE - REGULAR SESSION

SIXTY FOURTH DAY

House Chamber, Olympia, Monday, March 12, 2007

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kyndell White and Mark Crabtree. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Pastor Curtis Bidwell, First Baptist Church of Tumwater.

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

RESOLUTION

HOUSE RESOLUTION NO. 2007-4640, By Representatives Quall, Morris, Pearson, Bailey, Strow and Kristiansen

WHEREAS, Every April, the tulips are in bloom, celebrating the beginning of spring; and

WHEREAS, The beautiful Skagit Valley is the Northwest's tulip capital and the number 1 producer of tulip bulbs in North America; and

WHEREAS, The Skagit Valley Tulip Festival kicks off the festival season in Washington; and participating in the joy and excitement of the event, and contributing to the economy of the Skagit Valley; and

WHEREAS, This year's 24th annual festival will run from April 1 through 30, focusing on the communities of Sedro-Woolley, Burlington, Anacortes, La Conner, Mount Vernon, Concrete, and Conway; and

WHEREAS, Visitors will be greeted by more than 750 acres of tulips reflecting all the vibrant colors of the rainbow, by the fullness of life in the valley, and by its wonderful people; and

WHEREAS, This year's Tulip Festival Ambassadors, William Hovenden and Bethany Sybrandy, will ably and personably perform their responsibilities as representatives of this festival; and

WHEREAS, Highlights of the event include the Kiwanis Club's 19th Annual Salmon Barbeque, the 27th Annual Tulip Pedal bike ride, the Anacortes Quilt Walk, the Downtown Mount Vernon Street Fair, the 2nd Annual Hospice Tour de Fleur, and much more;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute all the

communities of the Skagit Valley, their chambers of commerce, the Skagit Valley Tulip Festival Ambassadors, and the Tulip Festival Committee; and

BE IT FURTHER RESOLVED, That the House of Representatives commend the community leaders and corporate sponsors for the success of this important event and encourage citizens from across Washington to take the time to enjoy this spectacular display; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Skagit Valley Tulip Festival Executive Director Cindy Verge and the Tulip Festival Ambassadors.

Representative Quall moved the adoption of the resolution.

Representatives Quall and Bailey spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4640 was adopted.

MESSAGES FROM THE SENATE

March 10, 2007

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5070,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5115,

SENATE BILL NO. 5123,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5317,

SENATE BILL NO. 5383,

SENATE BILL NO. 5421,

SENATE BILL NO. 5640,

SENATE BILL NO. 5711,

SENATE BILL NO. 5732,

SUBSTITUTE SENATE BILL NO. 5881,

SUBSTITUTE SENATE BILL NO. 5895,

SENATE BILL NO. 5953,

SUBSTITUTE SENATE BILL NO. 5987,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6001,

and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

March 10, 2007

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5372,

SUBSTITUTE SENATE BILL NO. 5443,

ENGROSSED SENATE BILL NO. 5675,
 SUBSTITUTE SENATE BILL NO. 5676,
 SUBSTITUTE SENATE BILL NO. 5721,
 SUBSTITUTE SENATE BILL NO. 5898,
 SENATE BILL NO. 5902,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5915,
 SENATE BILL NO. 5926,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6117,
 and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

March 12, 2007

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5011,
 SUBSTITUTE SENATE BILL NO. 5053,
 SECOND SUBSTITUTE SENATE BILL NO. 5122,
 SUBSTITUTE SENATE BILL NO. 5533,
 SENATE BILL NO. 5572,
 SENATE BILL NO. 5607,
 SUBSTITUTE SENATE BILL NO. 5720,
 SUBSTITUTE SENATE BILL NO. 5733,
 ENGROSSED SENATE BILL NO. 5738,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 2380 by Representatives Ericks, Orcutt, Hunter,
 Kretz, Linville and Ormsby

AN ACT Relating to providing taxpayer relief for costs associated with compliance with the sourcing requirements of the streamlined sales and use tax agreement; adding a new section to chapter 82.32 RCW; and providing an expiration date.

Referred to Committee on Finance.

HB 2381 by Representatives Hunter, Ericks and Linville

AN ACT Relating to using the voluntary compliance revenue generated under the streamlined sales and use tax agreement for funding the law enforcement officers' and firefighters' retirement system plan 2 and local government public safety; amending RCW 82.14.... and 82.14.....; amending 2007 c ... (Substitute Senate Bill No. 5089) s 901 (uncodified); and adding a new section to chapter 82.32 RCW.

Referred to Committee on Finance.

2SSB 5114 by Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller, Parlette, Eide, Weinstein, Fairley, Keiser, Shin, Kohl-Welles, Murray, McAuliffe, Rasmussen, Kauffman, Kilmer, Franklin and Holmquist)

AN ACT Relating to student transportation funding; amending RCW 28A.160.170; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

SSB 5116 by Senate Committee on Economic Development, Trade & Management (originally sponsored by Senators Kastama, Kilmer, Kauffman, McAuliffe, Shin, Parlette, Kohl-Welles, Rasmussen and Regala; by request of Governor Gregoire)

AN ACT Relating to creating a public-private tourism partnership; amending RCW 67.40.040, 43.330.096, 43.330.090, and 43.330.094; adding a new chapter to Title 43 RCW; creating a new section; recodifying RCW 43.330.096; and repealing RCW 43.330.095.

Referred to Committee on Community & Economic Development & Trade.

SSB 5145 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen and Rasmussen)

AN ACT Relating to clarifying existing requirements for conservation of agricultural lands; amending RCW 36.70A.020 and 36.70A.177; and creating a new section.

Referred to Committee on Local Government.

SSB 5221 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Marr, Stevens, Carrell, Eide, Regala, Brandland, Kilmer and Rasmussen; by request of Indeterminate Sentence Review Board)

AN ACT Relating to indeterminate sentenced offenders; and amending RCW 9.95.011, 9.95.420, 9.95.435, and 9.96.050.

Referred to Committee on Human Services.

ESB 5261 by Senators Keiser, Franklin, Kohl-Welles, Fairley and Kline; by request of Insurance Commissioner

AN ACT Relating to granting the insurance commissioner the authority to review individual health benefit plan rates; and amending RCW 48.18.110, 48.44.020, 48.46.060, 48.20.025, 48.44.017, and 48.46.062.

Referred to Committee on Health Care & Wellness.

SB 5332 by Senators Roach, Prentice and Rasmussen

AN ACT Relating to creating a statewide automated victim information and notification system; amending RCW 36.28A.040; and creating a new section.

Referred to Committee on Public Safety & Emergency Preparedness.

E2SSB 5712 by Senate Committee on Ways & Means (originally sponsored by Senator Parlette)

AN ACT Relating to the Washington state health insurance pool; amending RCW 48.41.110, 48.41.160, 48.41.200, 48.41.037, 48.41.100, 48.41.120, 48.43.005, 48.41.190, and 41.05.075; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

SSB 5714 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Roach, Prentice, Rasmussen, Oemig, Clements, Rockefeller, Tom, Fairley, Hobbs, Shin, Swecker, Holmquist, Benton, Stevens, Parlette, Delvin and Kline)

AN ACT Relating to instruction in Spanish and Chinese languages; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

2SSB 5790 by Senate Committee on Ways & Means (originally sponsored by Senators Hobbs, Rockefeller, Rasmussen, Fairley, McAuliffe, Kohl-Welles, Pridemore, Hatfield, Clements, Jacobsen and Shin)

AN ACT Relating to skill centers; amending RCW 84.52.068; adding a new chapter to Title 28A RCW; and creating a new section.

Referred to Committee on Education.

E2SSB 5813 by Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Hobbs, Weinstein, Kauffman, Eide, Tom, Rasmussen, Kohl-Welles, Murray, Shin, Marr, Oemig, Kilmer and Delvin)

AN ACT Relating to improving mathematics, technology, English as a second language, special education, and science education; amending RCW 28A.660.005, 28A.660.050, 28B.102.080, 28A.230.130, and 28A.230.130; adding new sections to chapter 28A.660 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to

chapter 28A.655 RCW; adding a new section to chapter 28B.76 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Education.

E2SSB 5828 by Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, McAuliffe, Tom, Rasmussen, Eide, Oemig, Clements, Hobbs, Weinstein, Rockefeller, Kline and Kohl-Welles)

AN ACT Relating to early child development and learning; amending RCW 43.215.010 and 43.215.020; adding new sections to chapter 43.215 RCW; and creating new sections.

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

E2SSB 5930 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Kohl-Welles, Shin and Rasmussen; by request of Governor Gregoire)

AN ACT Relating to providing high quality, affordable health care to Washingtonians based on the recommendations of the blue ribbon commission on health care costs and access; amending RCW 7.70.060, 43.70.110, 41.05.220, 48.41.110, 48.41.160, 48.41.200, 48.41.037, 48.41.100, 48.41.120, 48.43.005, 48.41.190, 41.05.075, 41.05.540, 41.05.540, 70.47A.040, 48.21.045, 48.44.023, 48.46.066, 48.21.047, 48.43.028, 48.44.024, and 48.46.068; reenacting and amending RCW 42.56.360; adding a new section to chapter 74.09 RCW; adding new sections to chapter 43.70 RCW; adding new sections to chapter 41.05 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; adding a new section to chapter 48.43 RCW; adding a new chapter to Title 69 RCW; creating new sections; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

2SSB 5955 by Senate Committee on Ways & Means (originally sponsored by Senators Tom, McAuliffe, Kauffman, Oemig, Kilmer, Eide, Kohl-Welles and Rasmussen)

AN ACT Relating to educator preparation, professional development, and compensation; amending RCW 28A.310.350; adding new sections to chapter 28A.415 RCW; adding a new section to chapter 28A.405 RCW; and creating new sections.

Referred to Committee on Education.

E2SSB 5958 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Parlette, Marr and Kohl-Welles)

AN ACT Relating to innovative primary health care delivery; amending RCW 48.44.010; adding a new chapter to Title 48 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5964 by Senate Committee on Judiciary (originally sponsored by Senators Kline and Hargrove)

AN ACT Relating to persistent offenders; reenacting and amending RCW 9.94A.030; creating a new section; and providing an expiration date.

Referred to Committee on Public Safety & Emergency Preparedness.

SB 5969 by Senators Kilmer, Delvin, Kastama, Shin, Kauffman, Marr, Murray, Kohl-Welles, Hobbs and Tom

AN ACT Relating to creating a civic education travel grant program; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Education.

SB 6107 by Senators Zarelli, Hatfield and Rasmussen

AN ACT Relating to conducting a study of pipeline utility corridor capacity; creating a new section; and providing an expiration date.

Referred to Committee on Technology, Energy & Communications.

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.

SECOND READING

HOUSE BILL NO. 2230, By Representatives Ericks, Bailey, Schual-Berke, Williams, Kagi, Moeller, Lantz, Hasegawa, Green, Morrell, Linville, Blake, Upthegrove, Hunt, O'Brien, Roach, Goodman, Simpson, Ormsby and Santos

Regarding early intervention services for children three years old.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2230 was substituted for House Bill No. 2230 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2230 was read the second time.

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

Representatives Ericks and Walsh spoke in favor of passage of the bill.

Representative Buri spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2230.

MOTION

On motion of Representative Santos, Representative Eickmeyer was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2230 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood, and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

SUBSTITUTE HOUSE BILL NO. 2230, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2246, By Representatives Kagi, Haler, Fromhold, Wallace, Kenney, Dickerson, Morrell, Simpson, Conway and Ormsby

Providing for the delivery of educational services to children who are deaf and hearing impaired.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2246 was substituted for House Bill No. 2246 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2246 was read the second time.

Representative Bailey moved the adoption of amendment (279):

On page 31, beginning on line 13, strike all of section 42

Renumber the remaining section consecutively and correct the title.

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Kagi, Haler and Fromhold spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2246.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2246 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott,

McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2246, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1573, By Representatives Quall, Priest, P. Sullivan, Pettigrew, Kenney, Kagi, Wallace, McCoy, Dickerson, Lovick, Santos, Hunt, Hasegawa, Simpson, Pedersen, Morrell, Conway, Lantz, O'Brien and Ormsby; by request of Superintendent of Public Instruction

Authorizing a statewide program for comprehensive dropout prevention, intervention, and retrieval.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1573 was substituted for House Bill No. 1573 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1573 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 Quall, Priest and Walsh spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1573.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1573 and the bill passed the House by the following vote: Yeas - 84, Nays - 13, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Clibborn, Cody, Condotta, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi,

Kelley, Kenney, Kessler, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 84.

Voting nay: Representatives Ahern, Alexander, Chandler, Chase, Crouse, Dunn, Ericksen, Hinkle, Kristiansen, Orcutt, Pearson, Schindler and Schual-Berke - 13.

Excused: Representative Eickmeyer - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 1573, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2136, By Representatives Fromhold, Sommers, Kenney, Moeller and Ormsby; by request of Superintendent of Public Instruction

Creating the improving core subject instruction for all students pilot program.

The bill was read the second time.

Representative Bailey moved the adoption of amendment (277):

On page 4, beginning on line 21, strike all of section 2

Correct the title.

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

Representative Fromhold spoke against the adoption of the amendment.

The amendment 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 Fromhold and Priest spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2136.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2136 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

HOUSE BILL NO. 2136, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1670, By Representatives Quall and Santos

Articulating the purpose and role of school counselors.

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 Quall and Priest spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1670.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1670 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen,

Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

HOUSE BILL NO. 1670, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1280, By Representatives Ericks, Jarrett, Quall, O'Brien, Strow, Morrell, Roach, Hunt, McDonald, Chase, Simpson, Haler, Moeller, McCune, Schual-Berke, Miloscia and Springer

Providing for the use of the school district capital projects funds for technology.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1280 was substituted for House Bill No. 1280 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1280 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 Ericks spoke in favor of passage of the bill.

Representative McDonald spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1280.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1280 and the bill passed the House by the following vote: Yeas - 64, Nays - 33, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville,

Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roach, Roberts, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 64.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Eddy, Ericksen, Goodman, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, McDonald, Moeller, Newhouse, Orcutt, Pearson, Priest, Rodne, Schindler, Skinner, Sump, Walsh and Warnick - 33.

Excused: Representative Eickmeyer - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 1280, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on SECOND SUBSTITUTE HOUSE BILL NO. 1280.

JIM MOELLER, 49th District

HOUSE BILL NO. 1394, By Representatives Williams, Roach, O'Brien, Hurst, Ormsby, Chase and Simpson

Requiring a plan to encourage medical students to work with patients with developmental disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1394 was substituted for House Bill No. 1394 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1394 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 Williams, Jarrett, Buri and Newhouse spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1394.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1394 and the bill passed the House

by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

SUBSTITUTE HOUSE BILL NO. 1394, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1497, By Representatives Wallace, Anderson, Sells, Hinkle, Roberts, Warnick, Buri, B. Sullivan, Priest, Hasegawa and Dunn

Increasing the operating fee waiver authority for Central Washington University.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1497 was substituted for House Bill No. 1497 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1497 was read the second time.

With the consent of the House, amendment (146) was withdrawn.

Representative Wallace moved the adoption of amendment (147):

On page 3, beginning on line 23, strike all of section 3.

Correct the title.

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

The amendment was adopted.

Amendment (180) was ruled out of order.

The bill was ordered engrossed.

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

Representatives Wallace, Anderson, Warnick, Hinkle and Newhouse spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1497.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1497 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1497, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2300, By Representatives Hasegawa, Jarrett, Wallace, B. Sullivan, Kenney, Hunter, Goodman, Dunshee, Chase, Ormsby, Kelley, Simpson and Blake

Concerning college textbooks.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2300 was substituted for House Bill No. 2300 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2300 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 Hasegawa, Buri, McIntire, Wallace, Anderson and Rolfes spoke in favor of passage of the bill.

Representative Jarrett spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2300.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2300 and the bill passed the House by the following vote: Yeas - 93, Nays - 4, Absent - 0, Excused - 1.

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

Voting nay: Representatives Chandler, Dunn, Jarrett and Kretz - 4.

Excused: Representative Eickmeyer - 1.

SUBSTITUTE HOUSE BILL NO. 2300, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1898, By Representatives Quall, Conway, Haler, Santos, Appleton, McDermott, Haigh, P. Sullivan, Chase, Green, Fromhold, Moeller, Wood, Simpson, Linville, Hunt, Barlow, Sells, Hasegawa, Kenney, Hudgins, Morrell and Ormsby

Providing apprenticeship utilization requirements for school district public works projects.

The bill was read the second time.

Representative Condotta moved the adoption of amendment (314):

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

"(6) "Trainee" means a worker participating in a training program.

(7) "Training program" means a formal training program conducted by an employer and approved by the awarding agency or school district, or a private vocational school licensed under chapter 28B.10 RCW, or an institution of higher education as defined in RCW 28B.10.016."

On page 2, line 13, after "apprentices" insert "or trainees"

On page 2, line 21, after "apprentices" insert "or trainees"

On page 2, line 26, after "apprentices" insert "or trainees"

On page 2, line 31, after "apprentices" insert "or trainees"

On page 2, line 37, after "apprentices" insert "or trainees"

On page 3, line 3, after "apprentices" insert "and/or trainees"

On page 3, line 7, after "apprentice" insert "and/or trainee"

On page 3, line 16, after "apprentices" insert "and/or trainees"

On page 3, line 20, after "apprentice" insert "and/or trainee"

On page 3, line 30, after "apprentice" insert "and/or trainee"

On page 3, line 34, after "apprentices" insert "and/or trainees"

On page 4, line 16, after "apprentice" insert "and trainee"

On page 4, line 25, after "apprentice" insert "and trainee"

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

Representative Conway spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Condotta moved the adoption of amendment (315):

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

"(6) "Trainee" means a worker participating in a training program.

(7) "Training program" means a formal training program conducted by an employer and approved by the school district, or a private vocational school licensed under chapter 28B.10 RCW, or an institution of higher education as defined in RCW 28B.10.016."

On page 2, line 37, after "apprentices" insert "or trainees"

Representatives Condotta and Chandler spoke in favor of the adoption of the amendment.

Representative Ormsby spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Conway moved the adoption of amendment (301):

On page 2, line 35, after "cost" strike "one" and insert "three"

On page 2, at the beginning of line 37, strike "fifteen" and insert "ten"

On page 2, after line 37, insert the following:

"(iii) For contracts advertised for bid on or after January 1, 2009, for all public works by a school district estimated to cost two million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after January 1, 2010, for all public works by a school district estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices."

Correct internal references accordingly.

With the consent of the House, amendment (316) to amendment (301) was withdrawn.

Representatives Conway and Condotta spoke in favor of the adoption of the amendment.

The amendment to amendment (301) was adopted.

The question before the House is the adoption of amendment (301) as amended.

Representatives Conway and Condotta spoke in favor of the adoption of the amendment as amended.

The amendment as amended was adopted.

Representative Conway moved the adoption of amendment (300):

On page 3, line 1, after "directors" insert "or school districts"

On page 3, line 11, after "director" insert "or school district"

Representatives Conway and Condotta spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Orcutt moved the adoption of amendment (313):

On page 4, after line 27, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 82.08 RCW to read as follows:

The tax levied by RCW 82.08.020 does not apply to sales of construction materials to school districts for use in public works projects that meet apprenticeship utilization requirements established under chapter 39.04 RCW."

Correct the title.

POINT OF ORDER

Representative Springer requested a scope and object ruling on amendment (313).

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): "The Speaker has examined both House Bill No. 1898 the title of which is "AN ACT Relating to apprenticeship utilization requirements on school district public works projects, and amending RCW 39.04.310 and 39.04.320." The bill deals simply with apprenticeship utilization.

Amendment (313) would add a new section to Title 82 RCW. The amendment which deals with the State sales tax is forty-two RCW titles beyond the RCW title 39 dealt with in the underlying bill.

The Speaker finds that the amendment is beyond the Scope and Object of House Bill No. 1898.

Representative Springer, the Speaker finds that your point of order is well taken."

The bill was ordered engrossed.

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

Representatives Quall, Conway and Ormsby spoke in favor of passage of the bill.

Representatives Condotta, Chandler, Ericksen, Hinkle, Orcutt, Buri, Anderson and DeBolt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1898.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1898 and the bill passed the House

by the following vote: Yeas - 65, Nays - 33, Absent - 0, Excused - 0.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Lovick, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 65.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, Linville, McCoy, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Sump, Walsh and Warnick - 33.

ENGROSSED HOUSE BILL NO. 1898, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1432, By Representatives P. Sullivan, Upthegrove, Simpson, Hunter, Moeller, Linville, Schual-Berke and Santos

Granting service credit to educational staff associates for nonschool employment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1432 was substituted for House Bill No. 1432 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1432 was read the second time.

Representative Alexander moved the adoption of amendment (318):

On page 2, line 10, after "RCW" insert "who are first employed by a school district as an educational staff associate during or after the 2007-08 school year"

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

Representative P. Sullivan spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Fromhold moved the adoption of amendment (309):

On page 2, line 16, after "nonschool service," insert "Nonschool years of service included in calculations under this subsection shall not be applied to service credit totals for purposes of any retirement benefit under chapter 41.32 RCW, 41.35 RCW, 451.40 RCW, or any other state retirement system benefits."

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

The amendment was adopted.

Representative Alexander moved the adoption of amendment (317):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The state board of education, in consultation with the superintendent of public instruction and legislative fiscal committees, shall conduct a study of salaries and compensation for educational staff associates, which includes occupational therapists, physical therapists, speech language pathologists, audiologists, nurses, social workers, counselors and psychologists. The study shall include but not be limited to an examination of:

(a) The experience of school districts in recruiting and retaining qualified educational staff associates;

(b) The extent to which school districts contract for the services of educational staff associates and the relative costs to districts of contracting for these services rather than having them performed by district staff;

(c) An assessment of the need for and merits of granting educational service credit to educational staff associates for experience in non-school positions in the calculation of years of service for the purpose of placement on the salary allocation schedule under RCW 28A.150.410, along with a detailed analysis of the costs of such a policy; and

(d) Alternative structures for salaries and compensation of some or all categories of educational staff associates that would not rely on a uniform salary schedule based on years of experience and education degrees and credits.

(2) The state board of education shall submit a preliminary report with recommendations to the fiscal and education committees of the legislature no later than September 30, 2007, and a final report no later than December 15, 2007."

Correct the title.

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

Representative P. Sullivan spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

Representatives P. Sullivan and Priest spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1432.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1432 and the bill passed the House by the following vote: Yeas - 89, Nays - 9, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 89.

Voting nay: Representatives Alexander, Anderson, Chandler, Crouse, Dunn, Kristiansen, Orcutt, Pearson and Schindler - 9.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1432, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1779, By Representatives Wallace, Dunn, Haigh, Kenney, Hasegawa, B. Sullivan, McDermott, Takko, Roberts, P. Sullivan, Fromhold, Quall, Simpson, Lantz, Hudgins, Kagi, Santos, Ormsby and Morrell

Creating the GET ready for math and science scholarship program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1779 was substituted for House Bill No. 1779 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1779 was read the second time.

Representative Wallace moved the adoption of amendment (151):

On page 2, line 2, after "Washington." strike everything through "(3)" on line 15

On page 3, line 7, after "below" strike "two hundred" and insert "one hundred twenty-five"

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

Representative Anderson spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 60 - YEAS; 38 -NAYS.

The amendment was adopted.

Representative Dunn moved the adoption of amendment (310):

On page 2, line 2, after "Washington." strike everything through "(3)" on line 15

On page 3, line 7, after "(c)" strike everything through "(d)" on line 11

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

Representatives Dunn, Anderson and Orcutt spoke in favor of the adoption of the amendment.

Representative Wallace spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Wallace moved the adoption of amendment (215):

On page 4, line 29, after "junior high" strike "and"

On page 4, line 29, after "school" insert ", and school district staff and administrators"

On page 4, line 30, strike "students, parents, teachers, counselors, principals"

On page 4, line 32, after "program" strike ";" and insert "using methods in place for communicating with schools and school districts; and"

On page 4, line 33, after "(2)" strike all material through "(4)" on page 5, line 9

On page 5, line 28, after "obligations;" strike "and"

On page 5, line 31, after "students" strike "." and insert "; and (6) Provide information to school districts in Washington, at least once per year, about the GET ready for math and science scholarship program.

NEW SECTION. Sec. 8. School districts shall:

(1) Notify parents, teachers, counselors, and principals about the GET ready for math and science scholarship program through existing channels. Notification methods may include, but are not limited to, regular school district and building communications, on-line scholarship bulletins and announcements, notices posted on school walls and bulletin boards, information available in each counselor's office, and school or district scholarship information sessions.

(2) Provide each student who achieves level four on the mathematics or science high school Washington assessment of student learning with information regarding the scholarship program and how to contact the program administrator."

Renumber the sections consecutively, correct internal references accordingly, and correct the title.

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

The amendment was adopted.

Representative Wallace moved the adoption of amendment (152):

On page 5, beginning on line 33, strike all of subsection (1).

Renumber the subsections consecutively and correct internal references accordingly.

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

Representative Anderson spoke against the adoption of the amendment.

The amendment was adopted.

The bill was ordered engrossed.

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

Representatives Wallace, Dunn and Kessler spoke in favor of passage of the bill.

Representatives Anderson, Armstrong, Schindler and Buri spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1779.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1779 and the bill passed the House by the following vote: Yeas - 76, Nays - 22, Absent - 0, Excused - 0.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 76.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Ericksen, Hinkle, Kretz, Kristiansen, Newhouse, Orcutt, Pearson, Rodne, Schindler, Strow and Warnick - 22.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1779, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1179, By Representatives Hasegawa, Jarrett, Sells, Roberts, Anderson, Green, Sommers, Kenney, Wallace, Buri, Appleton, Hudgins, Kagi, Ormsby, McDonald, Conway, Wood, Santos, Schual-Berke, Simpson, Lantz, Haigh and Morrell

Allowing part-time students at postsecondary institutions to qualify for a state need grant.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1179 was substituted for House Bill No. 1179 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1179 was read the second time.

Representative Anderson moved the adoption of amendment (288):

On page 2, line 14, after "youth" insert ", or the student is a parent with dependent children who is attending school on a less than half-time basis"

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

Representative Wallace spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (287):

On page 3, line 2, after "institutions." insert "Any child support payments received by students who are parents attending less than half-time shall not be used in computing financial need."

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

The amendment was adopted.

Representative Hasegawa moved the adoption of amendment (130):

On page 3, after line 10, insert the following:

"(c) An institution of higher education may award a state need grant to an eligible student enrolled in three to six credit-bearing quarter credits, or the semester equivalent, on a provisional basis if:

(i) The student has not previously received a state need grant from that institution;

(ii) The student completes the required free application for federal student aid;

(iii) The institution has reviewed of the student's financial condition, and the financial condition of the student's family if the student is a dependent student, and has determined that the student is likely eligible for a state need grant; and

(iv) The student has signed a document attesting to the fact that the financial information provided on the free application for federal student aid and any additional financial information provided directly to the institution is accurate and complete, and that the student agrees to repay the institution for the grant amount if the student submitted false or incomplete information."

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Hasegawa, Anderson and Wallace spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1179.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1179 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1179, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2082, By Representatives Chandler, Wallace, Grant, Buri, Miloscia, Kretz and Newhouse

Establishing the field of dreams program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2082 was substituted for House Bill No. 2082 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2082 was read the second time.

Representative Conway moved the adoption of amendment (319):

On page 3, line 13, after "program," insert "including outreach to schools, community groups, and communities of color,"

Representatives Conway and Kenney spoke in favor of the adoption of the amendment.

Representatives Chandler, Chandler (again), Buri and Anderson spoke against the adoption of the amendment.

SPEAKER'S RULING

The Speaker (Representative Lovick presiding) reminded the members that floor debate was not to be used to request electronic roll calls.

The amendment was adopted.

Representative McIntire moved the adoption of amendment (323):

On page 4, line 16, after "2010," insert "December 1, 2012, and December 1, 2014,"

On page 4, line 17, after "The" strike all material through "is" and insert "reports shall include, but are"

On page 4, line 18, after "demographic" insert ", geographic,"

On page 4, after line 35, insert the following:
"NEW SECTION. Sec. 7 This chapter expires December 31, 2013."

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

On page 5, at the beginning of line 3, insert "(1)"

On page 5, after line 7, insert the following:
 "(2) This section expires December 31, 2013."

Correct the title.

On page 7, line 34, after "through" strike "6" and insert "7"

Representatives McIntire and Chandler spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Chandler, Wallace and Newhouse spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2082.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2082 and the bill passed the House by the following vote: Yeas - 96, Nays - 2, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, DeBolt, Dickerson, Dunn, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Voting nay: Representatives Darneille and Dunshee - 2.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2082, having received the necessary constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 4204, By Representatives Schual-Berke, Chase, Wallace, Hudgins, Sells, Kenney, Appleton, Pedersen, Ormsby, Hasegawa, Lovick, Haigh, Dunshee, Hunt, Simpson, Lantz, Hunter, Williams, Linville, Goodman, Conway, Springer, Hurst, Campbell, P. Sullivan, Miloscia, Kelley, Moeller, Green, Rolfes, Eddy, Santos, Fromhold and Haler; by request of Governor Gregoire

Amending the Constitution to provide for a simple majority of voters voting to authorize a school levy.

The joint resolution was read the second time.

Representative Schual-Berke moved the adoption of amendment (327):

On page 2, line 27, strike "A" and insert "Notwithstanding any other provision of this subsection, a"

On page 2, line 29, after "proposition" insert ", regardless of the number of voters voting on the proposition"

Representatives Schual-Berke, Strow and Haigh spoke in favor of the adoption of the amendment.

Representatives Buri and Ericksen spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (327) to House Joint Resolution No. 4204.

ROLL CALL

The Clerk called the roll on the adoption of amendment (327) to House Joint Resolution No. 4204, and the amendment was adopted by the following vote: Yeas - 59, Nays - 39, Absent - 0, Excused - 0.

Voting yea: Representatives Appleton, Barlow, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Takko, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 59.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Jarrett, Kelley, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sullivan, P., Sump, Van De Wege, Walsh and Warnick - 39.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on amendment (327) to SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4204.

PAT SULLIVAN, 47th District

Representative Buri moved the adoption of amendment (330):

On page 2, line 29, after "proposition" insert ". The state shall guarantee that no school district imposes a tax rate higher than the statewide average tax rate needed to collect a maintenance and operations school levy at the maximum amount authorized by statute, by providing sufficient funding that, when added to the school district levy, is equal to the full amount of the levy authorized by statute."

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

Representatives Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

The joint resolution was ordered engrossed.

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

Representatives Schual-Berke, Linville, Fromhold, Quall, Jarrett, Hurst, Hunt and Eickmeyer spoke in favor of passage of the joint resolution.

Representative Roach, Orcutt, Ahern, Schindler, Hailey and Kristiansen spoke against the passage of the joint resolution.

POINT OF ORDER

Representative Simpson: *mandating local school*

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding):

Representatives Kristiansen (continued) spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Joint Resolution No. 4204.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 4204 and the joint resolution passed the House by the following vote: Yeas - 79, Nays - 19, Absent - 0, Excused - 0.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 79.

Voting nay: Representatives Ahern, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Hailey, Hinkle, Kretz, Kristiansen, Newhouse, Orcutt, Roach, Ross, Schindler, Strow, Sump and Warnick - 19.

ENGROSSED HOUSE JOINT RESOLUTION NO. 4204, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2327, By Representatives P. Sullivan, Priest, Haler, Quall, Jarrett, Wallace, Kenney, McDermott, Sells, Santos, Wood and Ormsby

Regarding a system of standards, instruction, and assessments for mathematics and science.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2327 was substituted for House Bill No. 2327 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2327 was read the second time.

Representative Dunn moved the adoption of amendment (312):

On page 2, beginning on line 19, strike all of sections 2 through 6

On page 11, at the beginning on line 23, strike "Sec. 7." and insert "Sec. 2."

On page 13, beginning on line 1, strike all of sections 8 through 10 and insert the following:

"NEW SECTION. Sec. 3. The state board of education, in cooperation with the superintendent of public instruction, shall examine the possibility of using end-of-course assessments in lieu of the current Washington assessment of student learning or as an objective alternative assessment to the Washington assessment of student learning. The examination shall focus on end-of-course assessments in high school and for mathematics and science, but may include use of the tests at other grade levels and for other subjects. The examination shall include but not be limited to a detailed analysis of the experience of other states using end-of-course assessments, development and administration costs, effects on curriculum and instruction, and impact on improving student achievement. The state board of education shall report findings from the examination by January 15, 2008, to the education and fiscal committees of the senate and the house of representatives."

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

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

Representative P. Sullivan spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Dunn moved the adoption of amendment (311):

On page 11, line 9, after "2013" insert ", if the state board of education finds the assessment to be an appropriate, valid, and reliable assessment of state learning standards for mathematics"

On page 11, line 14, after "2014" insert ", if the state board of education finds the assessments to be an appropriate, valid, and reliable assessment of state learning standards for mathematics"

On page 11, line 22, after "RCW 28A.655.061" insert ", if the state board of education finds the assessment to be an appropriate, valid, and reliable assessment of state learning standards for science"

On page 13, line 8, after "timelines" insert "for end of course assessments"

On page 13, line 8, after "act" insert "can provide appropriate accountability for student learning of state mathematics and science standards and"

On page 13, on line 21, after "cannot" insert "or should not"

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

Representative Quall spoke against the adoption of the amendment.

The amendment 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 P. Sullivan, Priest, Haler, Quall, Jarrett, Anderson, Wallace and Hasegawa spoke in favor of passage of the bill.

Representatives Hunter and Orcutt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2327.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2327 and the bill passed the House by the following vote: Yeas - 83, Nays - 15, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Anderson, Appleton, Armstrong, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, Dickerson,

Dunshee, Eddy, Eickmeyer, Ericks, Erickson, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Halder, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Morrell, Morris, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 83.

Voting nay: Representatives Alexander, Bailey, Chandler, Curtis, DeBolt, Dunn, Flannigan, Hunter, Kristiansen, McIntire, Miloscia, Moeller, Orcutt, Pearson and Strow - 15.

SECOND SUBSTITUTE HOUSE BILL NO. 2327, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 12, 2007

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5078,
 SENATE BILL NO. 5084,
 SUBSTITUTE SENATE BILL NO. 5085,
 SENATE BILL NO. 5134,
 SECOND SUBSTITUTE SENATE BILL NO. 5188,
 SENATE BILL NO. 5206,
 SUBSTITUTE SENATE BILL NO. 5207,
 SENATE BILL NO. 5208,
 SUBSTITUTE SENATE BILL NO. 5242,
 SUBSTITUTE SENATE BILL NO. 5250,
 SENATE BILL NO. 5313,
 SUBSTITUTE SENATE BILL NO. 5412,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5770,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5788,
 SENATE BILL NO. 5798,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5803,
 SUBSTITUTE SENATE BILL NO. 5937,
 SENATE BILL NO. 5979,
 SENATE BILL NO. 6014,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 6044,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6099,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6120,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6127,
 SENATE BILL NO. 6129,
 SENATE JOINT RESOLUTION NO. 8212,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION
 NO. 8405,
 and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

SECOND READING

HOUSE BILL NO. 1002, By Representatives O'Brien, Orcutt, Kessler, Condotta, McIntire, Sommers, Kenney, McDonald, Halder, Simpson, Wallace and Warnick

Modifying the sales and use taxation of vessels.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1002 was substituted for House Bill No. 1002 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1002 was read the second time.

Representative Bailey moved the adoption of amendment (112):

On page 7, beginning on line 25, strike all of section 4

Correct the title.

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

Representatives O'Brien and Orcutt spoke against the adoption of the amendment.

The amendment 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 O'Brien and Orcutt spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1002.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1002 and the bill passed the House by the following vote: Yeas - 95, Nays - 3, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Erickson, Flannigan, Fromhold, Goodman, Grant, Haigh, Hailey, Halder, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire,

Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Voting nay: Representatives Dickerson, Green and Kagi - 3.

SUBSTITUTE HOUSE BILL NO. 1002, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1009, By Representatives Moeller, Wallace, Linville, Wood and Dickerson

Establishing work groups to periodically review and update the child support schedule.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1009 was substituted for House Bill No. 1009 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1009 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 Moeller and Rodne spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1009.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1009 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell,

Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

SECOND SUBSTITUTE HOUSE BILL NO. 1009, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1151, By Representatives Pearson, Kretz, Dunshee, B. Sullivan, Kristiansen, Warnick and Haler

Prohibiting the state from establishing or participating in an animal identification system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1151 was substituted for House Bill No. 1151 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1151 was read the second time.

With the consent of the House, amendments (176) and (109) were withdrawn.

Representative Kretz moved the adoption of amendment (132):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The director of the department of agriculture shall convene a livestock identification advisory committee.

(2)(a) In organizing and making appointments to the livestock identification advisory committee, the director shall consult with the broad range of stakeholders who may be impacted by implementation of a mandatory or voluntary national or state animal identification system, or components thereof.

(b) The director shall appoint to the advisory committee one or more members from each of the following livestock-related stakeholder groups: (i) The commercial livestock industry, including cattle feeders and producers of beef and dairy cattle, horses, sheep, poultry, and swine; (ii) noncommercial livestock owners, including those who raise animals as a hobby or as a source of supplemental income, barter, food for the family, or recreation; (iii) educational and recreational organizations such as horse-riding associations, community fairs, and youth groups; (iv) concerned citizens who have a stake in the issue; and (v) additional members as the director deems necessary. The director shall invite one member from an Indian tribe to join the advisory committee.

(c) The advisory committee shall be convened by the director of the department of agriculture by July 1, 2007, chaired by the director or the director's designee, and staffed by the department.

(3) In conjunction with the department, the advisory committee shall:

(a) Review the recommendations made by the cattle identification advisory committee for implementation of a voluntary national animal identification system in Washington state; and

(b) Assess the impacts of such a system, whether federal or state only, on the commercial livestock industry, noncommercial livestock owners, livestock-related educational and recreational organizations, concerned citizens, and Indian tribes, in terms of costs, domestic commerce, international marketing and sales, animal health, privacy rights, and other potential impacts identified by the committee.

(4) The livestock identification advisory committee shall make recommendations to the department on whether and how to implement a voluntary animal identification system in Washington state.

(5) The department of agriculture, in conjunction with the livestock identification advisory committee, shall submit a written report of its findings and recommendations to appropriate committees of the legislature by January 1, 2008.

(6) This section expires June 30, 2008."

Correct the title.

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Pearson, B. Sullivan and Morris spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1151.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1151 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune,

McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1151, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1407, By Representatives Conway, Wood and Green; by request of Employment Security Department

Funding the administration of Title 50 RCW, unemployment compensation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1407 was substituted for House Bill No. 1407 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1407 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1407.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1407 and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell,

Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Voting nay: Representative Dunn - 1.

SUBSTITUTE HOUSE BILL NO. 1407, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1506, By Representatives Haigh, Armstrong, Hunt and Ormsby

Changing alternative works provisions.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1506 was substituted for House Bill No. 1506 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1506 was read the second time.

Representative Bailey moved the adoption of amendment (272):

On page 48, beginning on line 20, strike all of section 512

Renumber the remaining section consecutively and correct the title.

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

Representative Haigh spoke against the adoption of the amendment.

The amendment 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 Haigh and Armstrong spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1506.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1506 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

SECOND SUBSTITUTE HOUSE BILL NO. 1506, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1513, By Representatives Kessler, Orcutt, Grant, Alexander, Blake, VanDeWege, Kretz, Takko, Linville and Ericks

Modifying provisions relating to the excise taxation of forest products businesses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1513 was substituted for House Bill No. 1513 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1513 was read the second time.

With the consent of the House, amendments (090), (100) and (110) were withdrawn.

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

Representatives Kessler, Orcutt and Hunter spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1513.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1513 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

SUBSTITUTE HOUSE BILL NO. 1513, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1525, By Representatives Chase, Kessler, Morris, Sump, B. Sullivan, Hunt and Hudgins

Reducing the impact of regulatory provisions on small businesses.

The bill was read the second time.

Representative Chase moved the adoption of amendment (282):

On page 3, line 5, after "payroll." insert "Provided: That for the rules of the department of social and health services "minor cost" means cost per business that is less than fifty dollars of annual cost per client or other appropriate unit of service."

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

The amendment was adopted.

Representative Chase moved the adoption of amendment (281):

On page 4, after line 21, insert:

"(4) (a) All small business economic impact statements are subject to selective review by the joint administrative rules review committee pursuant to RCW 34.05.630.

(b) Any person affected by a proposed rule where there is small business economic impact statement may petition the joint

administrative rules review committee for review pursuant to the procedure in RCW 34.05.655."

On page 5, beginning on line 24, strike all of Section 5

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

Representative Chandler spoke against the adoption of the amendment.

The amendment was adopted.

Representative Alexander moved the adoption of amendment (338):

On page 5, line 13, after "rule;" strike "and" and insert "((and))"

On page 5, line 17, after "apply" insert "; and (d) The number of jobs that will be created or lost as the result of compliance with the proposed rule"

On page 5, line 20, after "committee" strike "under" and insert "((under)) to engage in negotiated rule making pursuant to"

Representatives Alexander and Chase spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Chase and Kristiansen spoke in favor of passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1525 and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune,

McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Voting nay: Representative Dunn - 1.

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

HOUSE BILL NO. 1549, By Representatives Linville, Kristiansen, Ericksen, McCune and Dunn

Exempting wholesale sales of bulk unprocessed milk from the business and occupation tax.

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 Linville and Kristiansen spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1549.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1549 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

HOUSE BILL NO. 1549, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1583, By Representatives Moeller, Conway, Darneille, Wood, Green, Ormsby and Morrell

Requiring disclosure to customers of the percentage of automatic service charges paid to servers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1583 was substituted for House Bill No. 1583 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1583 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 Moeller and Condotta spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1583.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1583 and the bill passed the House by the following vote: Yeas - 91, Nays - 7, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 91.

Voting nay: Representatives Anderson, Bailey, Dunn, Ericksen, Schindler, Springer and Sump - 7.

SUBSTITUTE HOUSE BILL NO. 1583, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1624, By Representatives Kagi, Walsh, Appleton, Roberts and Haigh

Reinstating parental rights for adolescents who are in state care and have not been adopted and providing immunity for department of social and health services representatives.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1624 was substituted for House Bill No. 1624 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1624 was read the second time.

Representative Kagi moved the adoption of amendment (292):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1 A new section is added to chapter 13.34 RCW to read as follows:

(1) A child may petition the juvenile court to reinstate the previously terminated parental rights of his or her parent under the following circumstances:

(a) The child must have been found to be a dependent child under this chapter;

(b) The child must be at least twelve years of age at the time the petition to reinstate parental rights is filed;

(c) At least three years have passed from the date of entry of an order for the termination of parental rights;

(d) The child's permanent plan is adoption and the child has not been adopted;

(e) The petition is signed by the child, unless the court finds good cause not to require the child's signature; and

(f) The petition alleges facts demonstrating the parent is fit and that reinstatement of parental rights is in the best interest of the child.

(2) Upon the filing of a petition to reinstate parental rights, the juvenile court shall order that a hearing be held. The court shall give prior notice, or cause prior notice to be given, to the department, the child's attorney, the child, the child's foster parent, and the child's tribe, if applicable. The court shall also order the department to give prior notice of the hearing to the child's former parent or parents whose parental rights were terminated and to any parent of the child whose parental rights were not terminated.

(3) The juvenile court shall conditionally grant the petition if it finds the following by clear and convincing evidence:

(a) The parental deficiencies which led to the termination of parental rights have been addressed to a degree that assures the court that the reinstatement of parental rights will not present a risk to the child's health, welfare, or safety;

(b) The parent is currently able to care for the child such that placement of the child with the parent will not present a risk to the child's health, welfare, or safety;

(c) The child is no longer likely to be adopted; and

(d) That reinstatement of parental rights is in the child's best interest.

(4)(a) If the court conditionally grants the petition under subsection (3) of this section, the case will be continued for one year. During this period, the child shall be placed in the custody of the parent. The department shall develop a permanency plan for the child reflecting the plan to be reunification. The department shall provide transition services to the family as appropriate. The court shall conduct a minimum of two review hearings to determine the status of the case and the well-being of the child.

(b) If the child must be removed from the parent due to abuse or neglect allegations, the court shall dismiss the petition for reinstatement of parental rights if the court finds the allegations have been proven by a preponderance of the evidence.

(c) If the child has been successfully placed with the parent for one year, the court order reinstating parental rights remains in effect and the court shall dismiss the dependency if the court finds that dismissal of the dependency is in the best interests of the child and will not present a risk to the child's health, welfare, or safety.

(5) A child seeking to petition under this section shall be provided counsel prior to the filing of the petition.

(6) The child's former parent or parents have the right to be represented by counsel, and if indigent, to have counsel appointed for him or her by the court after the petition for reinstatement of parental rights has been filed. Unless waived in court, counsel shall be provided to the child's parent if such person (a) has appeared in the proceeding or requested the court to appoint counsel and (b) is financially unable to obtain counsel because of indigency.

(7) A proceeding to reinstate parental rights is a separate action from the termination of parental rights proceeding and does not vacate the original termination of parental rights. An order granted under this section reinstates the parental rights to the child. This reinstatement is a recognition that the situation of the parent and child have changed since the time of the termination of parental rights and reunification is now appropriate.

NEW SECTION. Sec. 2 Sections 1 through 5 of this act are retroactive and apply to any child who is under the jurisdiction of the juvenile court at the time of the hearing regardless of the date parental rights were terminated.

Sec. 3 RCW 13.34.200 and 2003 c 227 s 7 are each amended to read as follows:

(1) Upon the termination of parental rights pursuant to RCW 13.34.180, all rights, powers, privileges, immunities, duties, and obligations, including any rights to custody, control, visitation, or support existing between the child and parent shall be severed and terminated and the parent shall have no standing to appear at any further legal proceedings concerning the child, except as provided in section 1 of this act: PROVIDED, That any support obligation existing prior to the effective date of the order terminating parental rights shall not be severed or terminated. The rights of one parent may be terminated without affecting the rights of the other parent and the order shall so state.

(2) An order terminating the parent and child relationship shall not disentitle a child to any benefit due the child from any third person, agency, state, or the United States, nor shall any action under this chapter be deemed to affect any rights and benefits that an Indian child derives from the child's descent from a member of a federally recognized Indian tribe.

(3) An order terminating the parent-child relationship shall include a statement addressing the status of the child's sibling relationships and the nature and extent of sibling placement, contact, or visits.

NEW SECTION. Sec. 4 A new section is added to chapter 43.20A RCW to read as follows:

The state or a person, individually or in a representative capacity for the state, who is involved in the delivery of child welfare services or child protective services through the children's administration of the department of social and health services, is not liable for selecting one of two or more alternative courses of action even though the course of action chosen results in a poor outcome if the person exercised reasonable care and skill in arriving at the judgment to follow the particular course of action.

NEW SECTION. Sec. 5 Nothing in sections 1 through 5 of this act may be construed to limit the application of other statutes specifying a liability standard for the state's employees and agents.

NEW SECTION. Sec. 6. The legislature recognizes that the 2005 Washington state court improvement project re-assessment found that Washington statutes fail to consistently address the health and safety of children in care. Statutory language does not stress the safety and welfare of the child as the paramount concerns. Additionally, the lack of clarity in the statutes undermines the effectiveness of the hearings and, ultimately, the safety and welfare of the child. The legislature intends to clarify the purpose of the court hearings and the roles and responsibilities of the parties.

The legislature finds that an investment of time into quality court hearings results in better decisions for children and their families and preserves the resources of the court and the child welfare system. The legislature intends to clearly state that court hearings should always strive to be independent, thorough, and timely inquiries into the status of the case to ensure the department of social and health services is responding to the needs of the family and child in a prompt manner and that the case is progressing appropriately. The legislature encourages the courts to develop clearer, stronger oversight and leadership roles within the courts to achieve safe, timely permanency for children. The court is encouraged to engage all parties to question whether the case is progressing and, if not, to assist in problem-solving to ensure progress is made towards permanency for the child.

Sec. 7. RCW 13.34.060 and 2002 c 52 s 4 are each amended to read as follows:

(1) A child taken into custody pursuant to RCW 13.34.050 or 26.44.050 shall be immediately placed in shelter care. A child taken by a relative of the child in violation of RCW 9A.40.060 or 9A.40.070 shall be placed in shelter care only when permitted under RCW 13.34.055. No child may be held longer than seventy-two hours, excluding Saturdays, Sundays, and holidays, after such child is taken into custody unless a court order has been entered for continued shelter care. In no case may a child who is taken into custody pursuant to RCW 13.34.055, 13.34.050, or 26.44.050 be detained in a secure detention facility.

~~((+))~~ (2) Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered, priority placement for a child in shelter care, pending a court hearing, shall be with any person described in RCW 74.15.020(2)(a). The person must be willing and available to care for the child and be able to meet any special needs of the child. The person must be willing to facilitate the child's visitation with siblings, if such visitation is part of the supervising agency's plan or is ordered by the court. If a child is not initially placed with a relative pursuant to this section, the

supervising agency shall make an effort within available resources to place the child with a relative on the next business day after the child is taken into custody. The supervising agency shall document its effort to place the child with a relative pursuant to this section. Nothing within this subsection ~~((+))~~ (2) establishes an entitlement to services or a right to a particular placement.

~~((b))~~ (3) Whenever a child is taken into custody pursuant to this section, the supervising agency may authorize evaluations of the child's physical or emotional condition and educational and developmental status, routine medical and dental examination and care, and all necessary emergency care. ~~(In no case may a child who is taken into custody pursuant to RCW 13.34.055, 13.34.050, or 26.44.050 be detained in a secure detention facility. No child may be held longer than seventy-two hours, excluding Saturdays, Sundays and holidays, after such child is taken into custody unless a court order has been entered for continued shelter care. The child and his or her parent, guardian, or custodian shall be informed that they have a right to a shelter care hearing. The court shall hold a shelter care hearing within seventy-two hours after the child is taken into custody, excluding Saturdays, Sundays, and holidays. If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary.~~

~~(2) Whenever a child is taken into custody by child protective services pursuant to a court order issued under RCW 13.34.050 or when child protective services is notified that a child has been taken into custody pursuant to RCW 26.44.050 or 26.44.056, child protective services shall make reasonable efforts to inform the parents, guardian, or legal custodian of the fact that the child has been taken into custody, the reasons why the child was taken into custody, and their legal rights under this title as soon as possible and in no event shall notice be provided more than twenty-four hours after the child has been taken into custody or twenty-four hours after child protective services has been notified that the child has been taken into custody. The notice of custody and rights may be given by any means reasonably certain of notifying the parents including, but not limited to, written, telephone, or in person oral notification. If the initial notification is provided by a means other than writing, child protective services shall make reasonable efforts to also provide written notification:)~~

Sec. 8. RCW 13.34.062 and 2004 c 147 s 2 are each amended to read as follows:

(1)(a) Whenever a child is taken into custody by child protective services pursuant to a court order issued under RCW 13.34.050 or when child protective services is notified that a child has been taken into custody pursuant to RCW 26.44.050 or 26.44.056, child protective services shall make reasonable efforts to inform the parent, guardian, or legal custodian of the fact that the child has been taken into custody, the reasons why the child was taken into custody, and their legal rights under this title, including the right to a shelter care hearing, as soon as possible.

(b) In no event shall the notice required by this section be provided to the parent, guardian, or legal custodian more than twenty-four hours after the child has been taken into custody or twenty-four hours after child protective services has been notified that the child has been taken into custody.

(2)(a) The notice of custody and rights may be given by any means reasonably certain of notifying the parents including, but not limited to, written, telephone, or in person oral notification. If the initial notification is provided by a means other than writing, child

protective services shall make reasonable efforts to also provide written notification.

(b) The written notice of custody and rights required by ((RCW 13.34.060)) this section shall be in substantially the following form:

"NOTICE

Your child has been placed in temporary custody under the supervision of Child Protective Services (or other person or agency). You have important legal rights and you must take steps to protect your interests.

1. A court hearing will be held before a judge within 72 hours of the time your child is taken into custody excluding Saturdays, Sundays, and holidays. You should call the court at (insert appropriate phone number here) for specific information about the date, time, and location of the court hearing.

2. You have the right to have a lawyer represent you at the hearing. Your right to representation continues after the shelter care hearing. You have the right to records the department intends to rely upon. A lawyer can look at the files in your case, talk to child protective services and other agencies, tell you about the law, help you understand your rights, and help you at hearings. If you cannot afford a lawyer, the court will appoint one to represent you. To get a court-appointed lawyer you must contact: (explain local procedure)

3. At the hearing, you have the right to speak on your own behalf, to introduce evidence, to examine witnesses, and to receive a decision based solely on the evidence presented to the judge.

4. If your hearing occurs before a court commissioner, you have the right to have the decision of the court commissioner reviewed by a superior court judge. To obtain that review, you must, within ten days after the entry of the decision of the court commissioner, file with the court a motion for revision of the decision, as provided in RCW 2.24.050.

You should be present at any shelter care hearing. If you do not come, the judge will not hear what you have to say.

You may call the Child Protective Services' caseworker for more information about your child. The caseworker's name and telephone number are: (insert name and telephone number).

5. You have a right to a case conference to develop a written service agreement following the shelter care hearing. The service agreement may not conflict with the court's order of shelter care. You may request that a multidisciplinary team, family group conference, or prognostic staffing be convened for your child's case. You may participate in these processes with your counsel present."

Upon receipt of the written notice, the parent, guardian, or legal custodian shall acknowledge such notice by signing a receipt prepared by child protective services. If the parent, guardian, or legal custodian does not sign the receipt, the reason for lack of a signature shall be written on the receipt. The receipt shall be made a part of the court's file in the dependency action.

If after making reasonable efforts to provide notification, child protective services is unable to determine the whereabouts of the parents, guardian, or legal custodian, the notice shall be delivered or sent to the last known address of the parent, guardian, or legal custodian.

((2)) (3) If child protective services is not required to give notice under ((RCW 13.34.060(2) and subsection (1) of)) this section, the juvenile court counselor assigned to the matter shall make all reasonable efforts to advise the parents, guardian, or legal custodian of the time and place of any shelter care hearing, request

that they be present, and inform them of their basic rights as provided in RCW 13.34.090.

((3)) (4) Reasonable efforts to advise and to give notice, as required in ((RCW 13.34.060(2) and subsections (1) and (2) of)) this section, shall include, at a minimum, investigation of the whereabouts of the parent, guardian, or legal custodian. If such reasonable efforts are not successful, or the parent, guardian, or legal custodian does not appear at the shelter care hearing, the petitioner shall testify at the hearing or state in a declaration:

(a) The efforts made to investigate the whereabouts of, and to advise, the parent, guardian, or legal custodian; and

(b) Whether actual advice of rights was made, to whom it was made, and how it was made, including the substance of any oral communication or copies of written materials used.

((4) The court shall hear evidence regarding notice given to, and efforts to notify, the parent, guardian, or legal custodian and shall examine the need for shelter care. The court shall hear evidence regarding the efforts made to place the child with a relative. The court shall make an express finding as to whether the notice required under RCW 13.34.060(2) and subsections (1) and (2) of this section was given to the parent, guardian, or legal custodian. All parties have the right to present testimony to the court regarding the need or lack of need for shelter care. Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

— (5)(a) A shelter care order issued pursuant to RCW 13.34.065 shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

— (b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than thirty days prior to the fact-finding hearing.

— (c) The court may order a conference or meeting as an alternative to the case conference required under RCW 13.34.067 so long as the conference or meeting ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

— (6) A shelter care order issued pursuant to RCW 13.34.065 may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

— (7) Any parent, guardian, or legal custodian who for good cause is unable to attend the initial shelter care hearing may request that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the parent, the court shall schedule the hearing within seventy-two hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means.)

Sec. 9. RCW 13.34.065 and 2001 c 332 s 3 are each amended to read as follows:

(1)(a) When a child is taken into custody, the court shall hold a shelter care hearing within seventy-two hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the

shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending.

(b) Any parent, guardian, or legal custodian who for good cause is unable to attend the shelter care hearing may request that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the parent, the court shall schedule the hearing within seventy-two hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means.

(2)(a) The ((juvenile court probation counselor)) department of social and health services shall submit a recommendation to the court as to the further need for shelter care ((unless the petition has been filed by the department, in which case the recommendation shall be submitted by the department)) in all cases in which it is the petitioner. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3)(a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090.

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the supervising agency or the department of social and health services to make reasonable efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home;

(e) Is the placement proposed by the agency the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in 25 U.S.C. Sec. 1903, whether the provisions of the Indian child welfare act apply, and whether there is compliance with the Indian child welfare act, including notice to the child's tribe;

(i) Whether restraining orders, or orders expelling an allegedly abusive parent from the home, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed;

(k) The terms and conditions for parental and sibling visitation.

((2)) (5)(a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

((1)) (i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

((2)) (ii)(A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

((3)) (B) The release of such child would present a serious threat of substantial harm to such child; or

((4)) (C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court does not release the child to his or her parent, guardian, or legal custodian, and the child was initially placed with a relative pursuant to RCW 13.34.060(1), the court shall order continued placement with a relative, unless there is reasonable cause to believe the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered. The relative must be willing and available to:

(i) Care for the child and be able to meet any special needs of the child;

(ii) Facilitate the child's visitation with siblings, if such visitation is part of the supervising agency's plan or is ordered by the court; and

(iii) Cooperate with the department in providing necessary background checks and home studies.

(c) If the child was not initially placed with a relative, and the court does not release the child to his or her parent, guardian, or legal custodian, the supervising agency shall make reasonable efforts to locate a relative pursuant to RCW 13.34.060(1).

(d) If a relative is not available, the court shall order continued shelter care or order placement with another suitable person, and the court shall set forth its reasons for the order. ((The court shall enter a finding as to whether RCW 13.34.060(2) and subsections (1) and (2) of this section have been complied with. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the supervising agency or the department of social and health services to make reasonable efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090.

—(3)) If the court orders placement of the child with a person not related to the child and not licensed to provide foster care, the

placement is subject to all terms and conditions of this section that apply to relative placements.

(c) Any placement with a relative, or other person approved by the court pursuant to this section, shall be contingent upon cooperation with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other person, subject to review by the court.

(6)(a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than thirty days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7)(a) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

(b)(i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

~~((4))~~ (8)(a) If a child is returned home from shelter care a second time in the case, or if the supervisor of the caseworker deems it necessary, the multidisciplinary team may be reconvened.

~~((5))~~ (b) If a child is returned home from shelter care a second time in the case a law enforcement officer must be present and file a report to the department.

Sec. 10. RCW 13.34.136 and 2004 c 146 s 1 are each amended to read as follows:

(1) Whenever a child is ordered removed from the child's home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency charged with ~~(his or her)~~ care of the child shall provide the court with a written permanency plan of care directed towards securing a safe, stable, and permanent home for the child as soon as possible. The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department 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;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(4), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the agency will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The agency plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The agency shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care whenever it is practical and in the best interest of the child.

(v) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(4), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and

child pending a fact-finding hearing on the termination petition. The agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

~~((2))~~ (3) 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.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

~~((3))~~ (5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(3).

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

Sec. 11. RCW 13.34.138 and 2005 c 512 s 3 are each amended to read as follows:

(1) Except for children whose cases are reviewed by a citizen review board under chapter 13.70 RCW, the status of all children found to be dependent shall be reviewed by the court at least every six months from the beginning date of the placement episode or the date dependency is established, whichever is first ~~((, at a))~~. The purpose of the hearing ((in which it)) shall be ((determined)) to review the progress of the parties and determine whether court supervision should continue.

(a) The initial review hearing shall be an in-court review and shall be set six months from the beginning date of the placement episode or no more than ninety days from the entry of the disposition order, whichever comes first. The requirements for the initial review hearing, including the in-court review requirement, shall be accomplished within existing resources.

(b) The supervising agency shall provide a foster parent, preadoptive parent, or relative with notice of, and his or her right to an opportunity to be heard in, a review hearing pertaining to the child, but only if that person is currently providing care to the child at the time of the hearing. This section shall not be construed to grant party status to any person who has been provided an opportunity to be heard.

(c) The initial review hearing may be a permanency planning hearing when necessary to meet the time frames set forth in RCW 13.34.145 ~~((3))~~ (1)(a) or 13.34.134. ~~((The review shall include~~

~~findings regarding the agency and parental completion of disposition plan requirements, and if necessary, revised permanency time limits. This review shall consider both the agency's and parent's efforts that demonstrate consistent measurable progress over time in meeting the disposition plan requirements. The requirements for the initial review hearing, including the in-court requirement, shall be accomplished within existing resources. The supervising agency shall provide a foster parent, preadoptive parent, or relative with notice of, and their right to an opportunity to be heard in, a review hearing pertaining to the child, but only if that person is currently providing care to that child at the time of the hearing. This section shall not be construed to grant party status to any person who has been provided an opportunity to be heard.))~~

(2)(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) ~~((Whether reasonable services have been provided to or offered to the parties to facilitate reunion, specifying the services provided or offered))~~ Whether the agency is making reasonable efforts to provide services to the family and eliminate the need for placement of the child. If additional services, including housing assistance, are needed to facilitate the return of the child to the child's parents, the court shall order that reasonable services be offered specifying such services;

(ii) Whether there has been compliance with the case plan by the child, the child's parents, and the agency supervising the placement;

(iii) Whether progress has been made toward correcting the problems that necessitated the child's placement in out-of-home care;

(iv) Whether the services set forth in the case plan and the responsibilities of the parties need to be clarified or modified due to the availability of additional information or changed circumstances;

(v) Whether there is a continuing need for placement;

(vi) Whether the child is in an appropriate placement which adequately meets all physical, emotional, and educational needs;

~~((ii))~~ (vii) Whether ((the child has been placed in the least-restrictive setting appropriate to the child's needs, including whether consideration and)) preference has been given to placement with the child's relatives;

~~((iii))~~ Whether there is a continuing need for placement and whether the placement is appropriate;

~~((iv))~~ Whether there has been compliance with the case plan by the child, the child's parents, and the agency supervising the placement;

~~((v))~~ Whether progress has been made toward correcting the problems that necessitated the child's placement in out-of-home care;

~~((vi))~~ (viii) Whether the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

~~((vii))~~ Whether additional services, including housing assistance, are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered specifying such services; and

~~((viii))~~ (ix) Whether terms of visitation need to be modified;

(x) Whether the court-approved long-term permanent plan for the child remains the best plan for the child;

(xi) Whether any additional court orders need to be made to move the case toward permanency; and

(xii) The projected date by which the child will be returned home or other permanent plan of care will be implemented.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

~~((2))~~ (3)(a) In any case in which the court orders that a dependent child may be returned to or remain in the child's home, the in-home placement shall be contingent upon the following:

(i) The compliance of the parents with court orders related to the care and supervision of the child, including compliance with an agency case plan; and

(ii) The continued participation of the parents, if applicable, in available substance abuse or mental health treatment if substance abuse or mental illness was a contributing factor to the removal of the child.

(b) The following may be grounds for removal of the child from the home, subject to review by the court:

(i) Noncompliance by the parents with the agency case plan or court order;

(ii) The parent's inability, unwillingness, or failure to participate in available services or treatment for themselves or the child, including substance abuse treatment if a parent's substance abuse was a contributing factor to the abuse or neglect; or

(iii) The failure of the parents to successfully and substantially complete available services or treatment for themselves or the child, including substance abuse treatment if a parent's substance abuse was a contributing factor to the abuse or neglect.

~~((3))~~ (4) The court's ability to order housing assistance under RCW 13.34.130 and this section is: (a) Limited to cases in which homelessness or the lack of adequate and safe housing is the primary reason for an out-of-home placement; and (b) subject to the availability of funds appropriated for this specific purpose.

~~((4))~~ (5) The court shall consider the child's relationship with siblings in accordance with RCW 13.34.130(3).

Sec. 12. RCW 13.34.145 and 2003 c 227 s 6 are each amended to read as follows:

(1) ~~((A permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.~~

~~(a) Whenever a child is placed in out-of-home care pursuant to RCW 13.34.130, the agency that has custody of the child shall provide the court with a written permanency plan of care directed towards securing a safe, stable, and permanent home for the child as soon as possible. The plan shall identify one of the following outcomes as the primary goal and may also identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; a responsible living skills program; and independent living, if appropriate and if the child is age sixteen or older and the provisions of subsection (2) of this section are met.~~

~~(b) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.~~

~~(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.~~

~~(d) For purposes related to permanency planning:~~

~~(i) "Guardianship" means a dependency guardianship, a legal guardianship pursuant to chapter 11.88 RCW, or equivalent laws of another state or a federally recognized Indian tribe.~~

~~(ii) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.~~

~~(iii) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or of a federally recognized Indian tribe.~~

~~(2) Whenever a permanency plan identifies independent living as a goal, the plan shall also specifically identify the services that will be provided to assist the child to make a successful transition from foster care to independent living. Before the court approves independent living as a permanency plan of care, 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. The department 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.~~

~~(3)) 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.

~~((4))~~ (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 ~~((subsection (3) of))~~ 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.

~~((5))~~ (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.

~~((6))~~ (3) At the permanency planning hearing, the court shall ~~((enter findings as required by RCW 13.34.138 and shall review the~~

permanency plan prepared by the agency)) 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 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 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 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.

(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.

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

(iii) The department 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 also enter a finding regarding whether the foster parent or relative was informed of the hearing as required in

RCW 74.13.280 and 13.34.138. ((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. 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.))

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

(a)(i) Order the permanency plan prepared by the 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.

((7)) (5) 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) 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) If a child is removed from home due to allegations of abuse or neglect, returned home, and subsequently removed and placed in out-of-home care, the court shall hold a permanency hearing no later than thirty days from the date of the removal to determine the appropriate action, including a change in the permanency plan or the filing of a termination petition. The best interests of the child shall be the primary consideration in determining the appropriate action.

(8) If the court orders the child returned home, casework supervision 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) 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.

— (11) Except as provided in RCW 13.34.235, the status of all dependent children shall continue to be reviewed by the court at

least once every six months, in accordance with RCW 13.34.138, until the dependency is dismissed. 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.

~~((12))~~ (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 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.

~~((13))~~ (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.

~~((14))~~ (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.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the internal references accordingly. Correct the title.

Representative Kagi moved the adoption of amendment (304) to the amendment (292):

Representatives Kagi and Haler spoke in favor of the adoption of the amendment to the amendment.

The amendment as amended was adopted.

The question before the House is the adoption of amendment (292) as amended.

Representative Kagi spoke in favor of the adoption of the amendment as amended.

The bill was ordered engrossed.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1624.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1624 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1624, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1637, By Representatives Hinkle, Cody, B. Sullivan, Moeller, Campbell, Williams, Green, Lovick, Upthegrove, Seaquist, Goodman, Simpson, Morrell, Linville, Ormsby and Rolfes

Creating the revised uniform anatomical gift act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1637 was substituted for House Bill No. 1637 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1637 was read the second time.

Representative Hinkle moved the adoption of amendment (198):

On page 16, beginning on line 19, strike all of section 21

Renumber the sections consecutively and correct any internal references accordingly.

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Hinkle and Cody spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1637.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1637 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1637, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1654, By Representatives Appleton, Haigh and Hunt

Modifying canvassing provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1654 was substituted for House Bill No. 1654 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1654 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 Appleton spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1654.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1654 and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Voting nay: Representative Dunn - 1.

SUBSTITUTE HOUSE BILL NO. 1654, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1843, By Representatives Conway, Condotta, Chandler and Moeller; by request of Department of Labor & Industries

Modifying provisions regulating contractors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1843 was substituted for House Bill No. 1843 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1843 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1843.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1843 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

SUBSTITUTE HOUSE BILL NO. 1843, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1892, By Representatives Goodman, Rodne, O'Brien, Jarrett, Lovick and Priest

Addressing the impoundment of vehicles parked on public streets by police officers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1892 was substituted for House Bill No. 1892 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1892 was read the second time.

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

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

Representative Darneille spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1892.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1892 and the bill passed the House by the following vote: Yeas - 90, Nays - 8, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, DeBolt, Dickerson, Dunshee, Eddy, Ericks, Ericksen, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 90.

Voting nay: Representatives Anderson, Darneille, Dunn, Eickmeyer, Flannigan, Hinkle, Hudgins and Warnick - 8.

SUBSTITUTE HOUSE BILL NO. 1892, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on SUBSTITUTE HOUSE BILL NO. 1892.

STEVE KIRBY, 29th District

HOUSE BILL NO. 1897, By Representatives Williams and Hunt

Expressing the legislature's intent that public disclosure requirements do not allow attorney invoices to be exempt in their entirety.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1897 was substituted for House Bill No. 1897 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1897 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 Williams spoke in favor of passage of the bill.

Representatives Chandler and Pedersen spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1897.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1897 and the bill passed the House by the following vote: Yeas - 65, Nays - 33, Absent - 0, Excused - 0.

Voting yea: Representatives Alexander, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hurst, Jarrett, Kelley, Kenney, Kessler, Kirby, Lantz, Lovick, McCoy, McCune, McDermott, Miloscia, Morrell, Morris, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 65.

Voting nay: Representatives Ahern, Anderson, Appleton, Armstrong, Bailey, Chandler, Condotta, Crouse, Curtis, Dunn, Eickmeyer, Ericksen, Hinkle, Hunter, Kagi, Kretz, Kristiansen, Linville, McDonald, McIntire, Moeller, Newhouse, Orcutt, Pearson, Pedersen, Roach, Ross, Schindler, Skinner, Strow, Sump, Walsh and Warnick - 33.

SUBSTITUTE HOUSE BILL NO. 1897, having received the necessary constitutional majority, was declared passed.

MOTION TO RECONSIDER

Representative Buri, having voted on the prevailing side, moved to reconsider the vote by which Substitute House Bill No. 1897 passed the House. The motion was adopted.

With the consent of the House, further action on SUBSTITUTE HOUSE BILL NO. 1897 was deferred.

HOUSE BILL NO. 1916, By Representatives Conway, Ericksen, Moeller, Strow, Green, Haler, Appleton, Seaquist, Chase, Priest, McDermott, Walsh, Ormsby,

Hasegawa, Fromhold, Kessler, Dunshee, Dunn, Sells, Wood, P. Sullivan, Kenney and Morrell

Applying interest arbitration to certain care providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1916 was substituted for House Bill No. 1916 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1916 was read the second time.

Representative Kagi moved the adoption of amendment (342):

On page 3, beginning on line 3, strike all of subsection (ii) and insert the following:

"(ii) The state's interest in promoting, through education and training, a stable child care workforce to provide quality and reliable child care from all providers throughout the state; and"

On page 3, line 6, after "(iii)" insert "In addition,"

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

The amendment was adopted. The bill was ordered engrossed.

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

Representative Conway spoke in favor of passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1916.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1916 and the bill passed the House by the following vote: Yeas - 75, Nays - 23, Absent - 0, Excused - 0.

Voting yea: Representatives Appleton, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh,

Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 75.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Chandler, Condotta, Crouse, DeBolt, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, McDonald, Newhouse, Orcutt, Pearson, Ross, Schindler, Skinner, Sump and Warnick - 23.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1916, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2152, By Representatives Appleton, Seaquist, Rolfes, Haigh, Eickmeyer, Lantz and Ormsby

Regarding election certification.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2152.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2152 and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist,

Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Voting nay: Representative Dunn - 1.

HOUSE BILL NO. 2152, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2176, By Representatives Lantz, Warnick, Pedersen, Ross, Hasegawa, Kenney, Santos and Goodman

Revising provisions involving court interpreters.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2176 was substituted for House Bill No. 2176 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2176 was read the second time.

Representative Lantz moved the adoption of amendment (306):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 2.43 RCW to read as follows:

(1) Each trial court organized under this title and Titles 3 and 35 RCW must develop a written language assistance plan to provide a framework for the provision of interpreter services for non-English-speaking persons accessing the court system in both civil and criminal legal matters. The language assistance plan must include, at a minimum, provisions addressing the following:

(a) Procedures to identify and assess the language needs of non-English-speaking persons using the court system;

(b) Procedures for the appointment of interpreters as required under RCW 2.43.030. Such procedures shall not require the non-English-speaking person to make the arrangements for the interpreter to appear in court;

(c) Procedures for notifying court users of the right to and availability of interpreter services. Such information shall be prominently displayed in the courthouse in the five foreign languages that census data indicates are predominate in the jurisdiction;

(d) A process for providing timely communication with non-English speakers by all court employees who have regular contact with the public and meaningful access to court services, including access to services provided by the clerk's office;

(e) Procedures for evaluating the need for translation of written materials, prioritizing those translation needs, and translating the highest priority materials. These procedures should take into account the frequency of use of forms by the language group, and the cost of orally interpreting the forms;

(f) A process for requiring and providing training to judges, court clerks, and other court staff on the requirements of the language assistance plan and how to effectively access and work with interpreters; and

(g) A process for ongoing evaluation of the language assistance plan and monitoring of the implementation of the language assistance plan.

(2) Each court, when developing its language assistance plan, must consult with judges, court administrators and court clerks, interpreters, and members of the community, such as domestic violence organizations, pro bono programs, courthouse facilitators, legal services programs, and/or other community groups whose members speak a language other than English.

(3) Each court must provide a copy of its language assistance plan to the interpreter commission established by supreme court rule for approval prior to receiving state reimbursement for interpreter costs under this chapter.

(4) Each court receiving reimbursement for interpreter costs under sections 2 or 3 of this act must provide to the administrative office of the courts by November 15, 2008, a report detailing an assessment of the need for interpreter services for non-English speakers in court-mandated classes or programs, the extent to which interpreter services are currently available for court-mandated classes or programs, and the resources that would be required to ensure that interpreters are provided to non-English speakers in court-mandated classes or programs. The administrative office of the courts shall compile these reports and provide them to the appropriate committees of the legislature by December 15, 2008.

Sec. 2. RCW 2.42.120 and 1985 c 389 s 12 are each amended to read as follows:

(1) If a hearing impaired person is a party or witness at any stage of a judicial or quasi-judicial proceeding in the state or in a political subdivision, including but not limited to civil and criminal court proceedings, grand jury proceedings, proceedings before a magistrate, juvenile proceedings, adoption proceedings, mental health commitment proceedings, and any proceeding in which a hearing impaired person may be subject to confinement or criminal sanction, the appointing authority shall appoint and pay for a qualified interpreter to interpret the proceedings.

(2) If the parent, guardian, or custodian of a juvenile brought before a court is hearing impaired, the appointing authority shall appoint and pay for a qualified interpreter to interpret the proceedings.

(3) If a hearing impaired person participates in a program or activity ordered by a court as part of the sentence or order of disposition, required as part of a diversion agreement or deferred prosecution program, or required as a condition of probation or parole, the appointing authority shall appoint and pay for a qualified interpreter to interpret exchange of information during the program or activity.

(4) If a law enforcement agency conducts a criminal investigation involving the interviewing of a hearing impaired person, whether as a victim, witness, or suspect, the appointing authority shall appoint and pay for a qualified interpreter throughout the investigation. Whenever a law enforcement agency conducts a criminal investigation involving the interviewing of a minor child whose parent, guardian, or custodian is hearing impaired, whether as a victim, witness, or suspect, the appointing authority shall appoint and pay for a qualified interpreter throughout the investigation. No employee of the law enforcement agency who has

responsibilities other than interpreting may be appointed as the qualified interpreter.

(5) If a hearing impaired person is arrested for an alleged violation of a criminal law the arresting officer or the officer's supervisor shall, at the earliest possible time, procure and arrange payment for a qualified interpreter for any notification of rights, warning, interrogation, or taking of a statement. No employee of the law enforcement agency who has responsibilities other than interpreting may be appointed as the qualified interpreter.

(6) Where it is the policy and practice of a court of this state or of a political subdivision to appoint and pay counsel for persons who are indigent, the appointing authority shall appoint and pay for a qualified interpreter for hearing impaired persons to facilitate communication with counsel in all phases of the preparation and presentation of the case.

(7) Subject to the availability of funds appropriated for this purpose, the administrative office of the courts shall reimburse the appointing authority for one-half of the payment to the interpreter where a qualified interpreter is appointed for a hearing impaired person by a judicial officer in a proceeding before a court under subsection (1), (2), or (3) of this section in compliance with the provisions of RCW 2.42.130 and 2.42.170.

Sec. 3. RCW 2.43.040 and 1989 c 358 s 4 are each amended to read as follows:

(1) Interpreters appointed according to this chapter are entitled to a reasonable fee for their services and shall be reimbursed for actual expenses which are reasonable as provided in this section.

(2) In all legal proceedings in which the non-English-speaking person is a party, or is subpoenaed or summoned by the appointing authority or is otherwise compelled by the appointing authority to appear, including criminal proceedings, grand jury proceedings, coroner's inquests, mental health commitment proceedings, and other legal proceedings initiated by agencies of government, the cost of providing the interpreter shall be borne by the governmental body initiating the legal proceedings.

(3) In other legal proceedings, the cost of providing the interpreter shall be borne by the non-English-speaking person unless such person is indigent according to adopted standards of the body. In such a case the cost shall be an administrative cost of the governmental body under the authority of which the legal proceeding is conducted.

(4) The cost of providing the interpreter is a taxable cost of any proceeding in which costs ordinarily are taxed.

(5) Subject to the availability of funds appropriated for this purpose, the administrative office of the courts shall reimburse the appointing authority for one-half of the payment to the interpreter where an interpreter is appointed by a judicial officer in a proceeding before a court at public expense and:

(a) The interpreter appointed is an interpreter certified by the administrative office of the courts or is a qualified interpreter registered by the administrative office of the courts in a noncertified language, or where the necessary language is not certified or registered, the interpreter has been qualified by the judicial officer pursuant to this chapter;

(b) The court conducting the legal proceeding has an approved language assistance plan that complies with section 1 of this act; and

(c) The fee paid to the interpreter for services is in accordance with standards established by the administrative office of the courts.

Sec. 4. RCW 2.56.030 and 2005 c 457 s 7 are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of the chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Submit annually, as of February 1st, to the chief justice, a report of the activities of the administrator's office for the preceding calendar year including activities related to courthouse security;

(10) Administer programs and standards for the training and education of judicial personnel;

(11) Examine the need for new superior court and district court judge positions under an objective workload analysis. The results of the objective workload analysis shall be reviewed by the board for judicial administration which shall make recommendations to the legislature. It is the intent of the legislature that an objective workload analysis become the basis for creating additional district and superior court positions, and recommendations should address that objective;

(12) Provide staff to the judicial retirement account plan under chapter 2.14 RCW;

(13) Attend to such other matters as may be assigned by the supreme court of this state;

(14) Within available funds, develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers and be updated yearly to reflect changes in statutes, court rules, or case law;

(15) Develop, in consultation with the entities set forth in RCW 2.56.150(3), a comprehensive statewide curriculum for persons who act as guardians ad litem under Title 13 or 26 RCW. The curriculum shall be made available July 1, 1997, and include specialty sections on child development, child sexual abuse, child physical abuse, child

neglect, clinical and forensic investigative and interviewing techniques, family reconciliation and mediation services, and relevant statutory and legal requirements. The curriculum shall be made available to all superior court judges, court personnel, and all persons who act as guardians ad litem;

(16) Develop a curriculum for a general understanding of crimes of malicious harassment, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be made available to all superior court and court of appeals judges and to all justices of the supreme court;

(17) Develop, in consultation with the criminal justice training commission and the commissions established under chapters 43.113, 43.115, and 43.117 RCW, a curriculum for a general understanding of ethnic and cultural diversity and its implications for working with youth of color and their families. The curriculum shall be available to all superior court judges and court commissioners assigned to juvenile court, and other court personnel. Ethnic and cultural diversity training shall be provided annually so as to incorporate cultural sensitivity and awareness into the daily operation of juvenile courts statewide;

(18) Authorize the use of closed circuit television and other electronic equipment in judicial proceedings. The administrator shall promulgate necessary standards and procedures and shall provide technical assistance to courts as required;

(19) Develop a Washington family law handbook in accordance with RCW 2.56.180;

(20) Administer state funds for improving the operation of the courts and provide support for court coordinating councils, under the direction of the board for judicial administration;

(21)(a) Administer and distribute amounts appropriated from the equal justice subaccount under RCW 43.08.250(2) for district court judges' and qualifying elected municipal court judges' salary contributions. The administrator for the courts shall develop a distribution formula for these amounts that does not differentiate between district and elected municipal court judges.

(b) A city qualifies for state contribution of elected municipal court judges' salaries under (a) of this subsection if:

(i) The judge is serving in an elected position;

(ii) The city has established by ordinance that a full-time judge is compensated at a rate equivalent to at least ninety-five percent, but not more than one hundred percent, of a district court judge salary or for a part-time judge on a pro rata basis the same equivalent; and

(iii) The city has certified to the office of the administrator for the courts that the conditions in (b)(i) and (ii) of this subsection have been met.

(22) Subject to the availability of funds appropriated for the purposes of this act, assist courts in the development and implementation of language assistance plans required under section 1 of this act."

Correct the title.

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Lantz, Rodne and Warnick spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2176.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2176 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2176, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2191, By Representatives Lantz, Warnick, Pedersen, Williams, Moeller, Seaquist, Morrell, Kelley, Simpson and Ormsby

Limiting deferred prosecution in domestic violence cases.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2191 was substituted for House Bill No. 2191 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2191 was read the second time.

Representative Lantz moved the adoption of amendment (257):

On page 2, after line 9, insert the following:

"(4) This section is not intended to limit the prosecuting attorney's ability to negotiate alternative dispositions."

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

The amendment was adopted. The bill was ordered engrossed.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2191.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2191 and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 98.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2191, having received the necessary constitutional majority, was declared passed.

MOTION

On motion of Representative Buri, the House immediately reconsidered the vote on third reading by which

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1916 passed the House.

RECONSIDERATION

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1916 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1916 on reconsideration, and the bill passed the House by the following vote: Yeas - 88, Nays - 10, Absent - 0, Excused - 0.

Voting yea: Representatives Ahern, Alexander, Appleton, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 88.

Voting nay: Representatives Anderson, Armstrong, Chandler, Condotta, Hinkle, Kretz, Newhouse, Orcutt, Sump and Warnick - 10.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1916 on reconsideration, having received the necessary constitutional majority, was declared passed.

With the consent of the House, Rule 13c was suspended.

HOUSE BILL NO. 1876, By Representatives Conway, Wood and Ormsby

Providing for the certification of mechanics performing heating, ventilating, air conditioning, refrigeration, and gas piping work.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1876 was substituted for House Bill No. 1876 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1876 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1876.

MOTIONS

On motion of Representative Schindler, Representative Jarrett was excused. On motion of Representative Santos, Representative Hunter was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1876 and the bill passed the House by the following vote: Yeas - 90, Nays - 6, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 90.

Voting nay: Representatives Kretz, Kristiansen, McCune, Pearson, Roach and Sump - 6.

Excused: Representatives Hunter and Jarrett - 2.

SUBSTITUTE HOUSE BILL NO. 1876, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2256, By Representatives Darneille, Haler, Morrell, Walsh, Pettigrew, Dickerson, Kenney, Schual-Berke, Kagi, P. Sullivan, Lantz, Hinkle, Upthegrove, Appleton, Williams, Seaquist, O'Brien, Hasegawa, Green, Linville, Simpson, Ormsby and Santos

Establishing the family prosperity act.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2256 was substituted for House Bill No. 2256 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2256 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 Darneille and Dickerson spoke in favor of passage of the bill.

Representatives Bailey and Orcutt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2256.

MOTION

On motion of Representative Santos, Representative Eickmeyer was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2256 and the bill passed the House by the following vote: Yeas - 61, Nays - 34, Absent - 0, Excused - 3.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 61.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Erickson, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Seaquist, Skinner, Strow, Sump and Warnick - 34.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

SECOND SUBSTITUTE HOUSE BILL NO. 2256, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1802, By Representatives Darneille, Kenney, Dickerson, Hankins, Linville, Cody, Roberts, Appleton, Schual-Berke, Walsh, Santos, Wallace, Haigh, Simpson, Green, Clibborn, Warnick, Rolfes, Morrell, Pettigrew, Bailey, Lantz, Eddy, Sommers, Kessler, Kagi, Skinner, McDonald, Chase, Hudgins, Hasegawa, Pedersen, Ericks, Goodman and Moeller

Providing information about the human papillomavirus disease and vaccine.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1802 was substituted for House Bill No. 1802 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1802 was read the second time.

Representative Hinkle moved the adoption of amendment (235):

On page 2, beginning on line 3, strike all of subsection (2)(a) and insert the following:

"(2)(a) Beginning with sixth grade entry, ~~((every public and private school in the state shall provide))~~ parents and guardians shall be provided with the following information at the beginning of every school year:

(i) By every public and private school in the state, information about meningococcal disease and its vaccine ((at the beginning of every school year)); and

(ii) By every public school in the state, information about human papillomavirus disease and its vaccine."

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

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (343):

On page 2, line 9, after "vaccine," insert "The information about the human papillomavirus disease and its vaccine must include a clear disclosure statement on the front of the distributed material in bold-face type, in a font size at least two points larger than other font sizes on the page, that reads: "The only sure way to prevent the human papillomavirus disease is to abstain from all sexual activity.""

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

Representatives Cody and Green spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (344):

On page 2, line 9, after "vaccine," insert "The information about the human papillomavirus disease and its vaccine must include a clear disclosure statement on the front of the distributed material in bold-face type, in a font size at least two points larger than other font sizes on the page, that reads: "Long-term clinical trials of the human papillomavirus vaccine have not been conducted. The long-term effects of the vaccine and the length of vaccine protection (immunity) are unknown.""

Representatives Hinkle, Buri, Orcutt and DeBolt spoke in favor of the adoption of the amendment.

Representatives Darneille and Schual-Berke spoke against the adoption of the amendment.

The amendment 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 Darneille and Morrell spoke in favor of passage of the bill.

Representatives Hinkle, Schindler and McDonald spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1802.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1802 and the bill passed the House by the following vote: Yeas - 73, Nays - 22, Absent - 0, Excused - 3.

Voting yea: Representatives Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko,

Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 73.

Voting nay: Representatives Ahern, Alexander, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Haigh, Hailey, Hinkle, Kretz, Kristiansen, McCune, Orcutt, Pearson, Roach, Ross, Schindler, Sump and Warnick - 22.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

SUBSTITUTE HOUSE BILL NO. 1802, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1595, By Representatives Appleton, Jarrett, Hunt and Lantz

Expanding the protection of shellfish in Puget Sound.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1595 was substituted for House Bill No. 1595 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1595 was read the second time.

With the consent of the House, amendment (140) was withdrawn.

Representative Upthegrove moved the adoption of amendment (352):

On page 6, beginning on line 17, strike all of section 7 and insert the following:

"NEW SECTION. Sec. 7. If specific funding for the purposes of section 5 of this act, referencing section 5 of this act by bill or chapter number and section number, is not provided by June 30, 2007, in the omnibus appropriations act, section 5 of this act is null and void."

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

Representative Sump spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 59 - YEAS; 36 -NAYS.

The amendment was adopted. The bill was ordered engrossed.

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

Representative Appleton spoke in favor of passage of the bill.

Representative Sump spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1595.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1595 and the bill passed the House by the following vote: Yeas - 65, Nays - 30, Absent - 0, Excused - 3.

Voting yea: Representatives Anderson, Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 65.

Voting nay: Representatives Ahern, Alexander, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, Newhouse, Orcutt, Ormsby, Pearson, Roach, Ross, Schindler, Skinner, Strow, Sump, Walsh and Warnick - 30.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1595, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1595.

TIMM ORMSBY, 3rd District

The Speaker assumed the chair.

SECOND READING

HOUSE BILL NO. 1649, By Representatives Fromhold, Conway, Bailey, Crouse, Sells, Moeller and Simpson

Authorizing the purchase of an increased benefit multiplier for past judicial service for judges in the public employees' retirement system and the teachers' retirement system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1649 was substituted for House Bill No. 1649 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1649 was read the second time.

With the consent of the House, amendment (268) was withdrawn.

Representative Fromhold moved the adoption of amendment (347):

On page 3, line 14, after "for members of plan 2." insert "The member shall pay five percent of the salary earned for each month of service for which the higher benefit multiplier is being purchased, plus interest as determined by the director."

On page 4, line 19, after "sixty-six." insert "The member shall pay two and one-half percent of the salary earned for each month of service for which the higher benefit multiplier is being purchased, plus interest as determined by the director."

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Fromhold and Alexander spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1649.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1649 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1649, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1651, By Representatives Fromhold, Alexander, B. Sullivan, Walsh and Simpson

Creating the boating activities program.

The bill was read the second time.

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

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

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

Representatives Fromhold and Alexander spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1651.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1651 and the bill passed the House by the following vote: Yeas - 94, Nays - 1, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta,

Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representative Dunn - 1.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

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

HOUSE BILL NO. 1741, By Representatives Hunt, Skinner and Conway

Transferring the oral history program from the secretary of state to the legislature.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1741 was substituted for House Bill No. 1741 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1741 was read the second time.

Representative Hunt moved the adoption of amendment (263):

On page 2, line 29, after "The" strike "tapes and tape transcripts" and insert "~~((tapes and tape transcripts))~~ manuscripts and publications"

On page 2, line 30, after "be" strike "indexed and" and insert "~~((indexed and))~~"

On page 2, line 31, after "The" strike "transcripts" and insert "~~((transcripts))~~ manuscripts"

On page 3, beginning on line 18, after "the committee" strike "shall be a legislator and"

On page 3, beginning on line 35, after "interviews" strike all material through "legislature" on line 36 and insert "~~((with subjects currently serving in the Washington state legislature))~~"

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Hunt and Skinner spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1741.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1741 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1741, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1746, By Representatives Orcutt, Santos, McIntire and Alexander

Exempting certain historic property leased to counties from property taxation.

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 Orcutt and Hasegawa spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1746.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1746 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

HOUSE BILL NO. 1746, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1761, By Representatives Linville, Hunter, Priest, Hunt, B. Sullivan, Upthegrove, Kessler, Sump, Hankins, Jarrett, Fromhold, Appleton, Rolfes, Darneille, Campbell, Conway, Green, O'Brien, Schual-Berke, Simpson, Ormsby and Chase

Accelerating the cleanup of Puget Sound and hazardous waste and waste sites in the state.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1761 was substituted for House Bill No. 1761 and the second substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1761 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 Linville and McDonald spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1761.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1761 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

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

HOUSE BILL NO. 1307, By Representatives Upthegrove, Lantz, Williams, O'Brien, Sells, McCoy, Appleton, Darneille, Lovick, Dunshee, Takko, Pedersen, Simpson, Dickerson, Moeller, McIntire, Schual-Berke, Quall, Springer and Morrell

Regarding freedom of speech and press for high school and college students.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1307 was substituted for House Bill No. 1307 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1307 was read the second time.

Representative Rodne moved the adoption of amendment (042):

On page 1, line 14, after "protections for" strike "both high school and"

Beginning on page 1, line 17, strike all of section 2

Renumber the remaining sections consecutively and correct the title.

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

Representative Lantz spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 34 - YEAS; 61 -NAYS.

The amendment was not adopted.

Representative Pedersen moved the adoption of amendment (223):

On page 2, line 38, after "the school" strike "or" and insert "district nor the"

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

The amendment was adopted.

Representative Anderson moved the adoption of amendment (199):

On page 5, after line 8, insert the following:

"NEW SECTION. Sec. 3. The state shall reimburse a school district or public institution of higher education for any costs, including reasonable attorneys' fees, incurred by the school district or public institution of higher education in defending itself in a civil action brought under this act."

Renumber the remaining section and correct the title.

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

Representative Upthegrove spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (200):

On page 5, after line 8, insert the following:

"NEW SECTION. Sec. 3. A student of a public high school or public institution of higher education has no greater right to exercise freedom of speech and of the press in school-sponsored media than individual members of the house of representatives and senate have in legislative-sponsored media, whether or not such media is supported financially by the legislature, or by use of legislative facilities, or is produced in conjunction with a legislative event."

Renumber the remaining section and correct the title.

Representatives Anderson, Ericksen, Chandler and Strow spoke in favor of the adoption of the amendment.

Representative Williams spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

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

Representatives Armstrong, Rodne, Priest, Orcutt, Roach, Ross, Hinkle, Ahern, Newhouse, Dunn and Buri spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1307.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1307 and the bill passed the House by the following vote: Yeas - 58, Nays - 37, Absent - 0, Excused - 3.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hurst, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 58.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Kelley, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest,

Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump, Walsh and Warnick - 37.

Excused: Representatives Eickmeyer, Hunter and Jarrett - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1307, having received the necessary constitutional majority, was declared passed.

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

REPORTS OF STANDING COMMITTEES

March 12, 2007

HB 1488 Prime Sponsor, Representative B. Sullivan: Enhancing the state's oil spill response program. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Hunter, Chairman; Hasegawa, Vice Chairman; Conway; Ericks; McIntire and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Roach.

March 12, 2007

HB 2288 Prime Sponsor, Representative Hasegawa: Implementing weight-based taxation of moist snuff. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chairman; Hasegawa, Vice Chairman; Conway; McIntire and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Ericks and Roach.

March 12, 2007

HB 2352 Prime Sponsor, Representative Grant: Exempting persons engaged in farming and certain farming services from business and occupation taxation. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chairman; Orcutt, Ranking Minority Member; Condotta, Assistant Ranking

Minority Member; Conway; Ericks; McIntire; Roach and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Hasegawa, Vice Chairman.

There being no objection, the bills listed on the day's committee reports sheet under the fifth order of business were placed on the Second Reading calendar.

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

With the consent of the House, the bills listed on the day's Leadership Pull sheet were placed on the Second Reading calendar:

HOUSE BILL NO. 1139,
HOUSE BILL NO. 1267,
HOUSE BILL NO. 1383,
HOUSE BILL NO. 1471,
HOUSE BILL NO. 1597,
HOUSE BILL NO. 1806,
HOUSE BILL NO. 1181,
HOUSE BILL NO. 2052,
HOUSE BILL NO. 2106,
HOUSE BILL NO. 2107,
HOUSE BILL NO. 2113,
HOUSE BILL NO. 2130,
HOUSE BILL NO. 2203,
HOUSE BILL NO. 2261,
HOUSE BILL NO. 2284,
HOUSE BILL NO. 2330,
HOUSE BILL NO. 2357,
HOUSE BILL NO. 2368,

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

There being no objection, the House adjourned until 10:00 a.m., March 13, 2007, the 65th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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