



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 2

### SIXTY-SECOND LEGISLATURE

**Wednesday, January 11, 2012**

**3rd Day - 2012 Regular Session**

|               |   |   |   |   |  |  |  |
|---------------|---|---|---|---|--|--|--|
| <b>SENATE</b> | SB 5620-S2<br>SB 6059                               | SB 5977-S<br>SB 6060                                | SB 5978-S<br>SCR 8407                               | SB 6055<br>SCR 8408                                 | SB 6056  | SB 6057  | SB 6058                                  |
| <b>HOUSE</b>  | HB 2239<br>HB 2246<br>HB 2253<br>HB 2260<br>HB 2267 | HB 2240<br>HB 2247<br>HB 2254<br>HB 2261<br>HB 2268 | HB 2241<br>HB 2248<br>HB 2255<br>HB 2262<br>HB 2269 | HB 2242<br>HB 2249<br>HB 2256<br>HB 2263<br>HB 2270 | HB 2243<br>HB 2250<br>HB 2257<br>HB 2264<br>HCR 4407 | HB 2244<br>HB 2251<br>HB 2258<br>HB 2265<br>HCR 4408 | HB 2245<br>HB 2252<br>HB 2259<br>HB 2266 |

This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2012>.

### House Bills

**HB 2239** by Representatives Pedersen, Goodman, Rodne, and Hudgins; by request of Washington State Bar Association

Establishing social purpose corporations.  
Establishes social purpose corporations.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Judiciary.
- Jan 11 Scheduled for public hearing in the House Committee on Judiciary at 8:00 AM. (Subject to change)
- Jan 12 Scheduled for executive session in the House Committee on Judiciary at 10:00 AM. (Subject to change)

**HB 2240** by Representatives Moscoso, Fitzgibbon, and Miloscia

Concerning public improvement contracts involving federally funded transit facility projects.

Addresses public improvement contracts involving transit facility projects funded, in whole or in part, by federal transportation funds.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Transportation.

**HB 2241** by Representatives Moscoso, Appleton, Fitzgibbon, Jenkins, Pollet, Roberts, Dickerson, and Kenney

Reducing the introduction of lead into the aquatic environment.

Prohibits the sale or purchase of prohibited lead products.

-- 2012 REGULAR SESSION --  
Jan 10 First reading, referred to Environment.

**HB 2242** by Representatives Ryu, Jenkins, and Miloscia  
Requiring the department of licensing to adopt rules regarding online learning for training in cosmetology, manicuring, barbering, esthetics, and instruction.

Supports and encourages online learning opportunities for the study of theory for cosmetology, manicuring, barbering, esthetics, and instructor-training.

Requires the director of the department of licensing to adopt rules regarding distance or online learning.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Business & Financial Services.

**HB 2243** by Representatives Eddy, Morris, McCoy, Moeller, and Hudgins

Concerning the net metering of electricity.  
Revises the definition of "customer-generator" for purposes of chapter 80.60 RCW (net metering of electricity).

Increases the allowable electric generating nameplate capacity of a net metering system.

Increases the cumulative generating available to net metering systems.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Technology, Energy & Communications.

**HB 2244** by Representatives Hargrove, Sullivan, and Moeller

Concerning the liability of landowners for unintentional injuries that result from certain public or private airstrip operations.

Provides immunity from liability to certain landowners for unintentional injuries to members of the public using the land for aviation activities including, but not limited to, the operation of airplanes, ultra-light airplanes, hanggliders, parachutes, and paragliders.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Judiciary.

**HB 2245** by Representatives Bailey, Haler, and Blake

Regarding the preservation and conservation of agricultural resource lands.

Finds that: (1) Each year, a significant amount of the state's agricultural land is irrevocably converted from actual or potential agricultural use to nonagricultural use; and

(2) The program and project actions of certain parties, in many cases, inadvertently result in the conversion of farmland to nonagricultural uses where alternative actions would be preferred.

Declares that it is the policy of the state to identify and take into account the adverse effects of these actions.

Requires the department of ecology to add certain questions to the state environmental policy act environmental checklist form to assist the state in implementing the policy.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Environment.

**HB 2246** by Representatives Eddy, Jinkins, Dickerson, and Roberts

Concerning medicaid fraud.

Establishes the medicaid fraud false claims act to provide the state with another tool to combat medicaid fraud.

Establishes the crime of medicaid theft as a class B felony.

Creates the medicaid fraud penalty account.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Judiciary.

**HB 2247** by Representatives Green, Cody, Billig, Fitzgibbon, Reykdal, Maxwell, Jinkins, Finn, Moeller, and Ryu

Expanding the types of medications that a public or private school employee may administer to include topical medication, eye drops, and ear drops.

Allows certain public and private school employees to administer topical medication, eye drops, and ear drops to students.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Health Care & Wellness.

**HB 2248** by Representatives Pearson, Johnson, Smith, Wilcox, Schmick, Haler, and Harris

Removing the payment of vehicle license fees and taxes from the issuance of gold star license plates.

Requires gold star license plates to be issued without payment of any vehicle license fee or excise tax.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Transportation.

**HB 2249** by Representatives Fitzgibbon, Kagi, Cody, Ryu, and Kenney

Creating a senior center license.

Authorizes a senior center license to be issued to a nonprofit organization whose primary service is providing recreational and social activities for seniors on the licensed premises that will permit the licensee to sell spirits by the individual glass, including mixed drinks and cocktails mixed on the premises only, beer and wine, at retail for consumption on the premises.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to State Government & Tribal Affairs.

**HB 2250** by Representatives Fitzgibbon, Pedersen, Carlyle, and Reykdal

Ensuring statewide consistency in the regulation of retail store carryout bags.

Authorizes retail store operators who provide plastic carryout bags to customers to establish, in lieu of a local ordinance banning or restricting carryout bags, an in-store recycling program for carryout bags.

Provides that only a county may enact a local ordinance that bans, restricts, or otherwise regulates, taxes, or requires fees for the use of carryout bags in any geographic area located within a county.

Prohibits cities, towns, and code cities from enacting local regulations regarding retail store carryout bags.

Provides a business and occupation tax deduction on reasonable costs incurred by retail stores that are required by an act of county government to provide carryout bags made of paper to customers instead of plastic carryout bags.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Environment.

**HB 2251** by Representatives Fitzgibbon, Pedersen, Ladenburg, Moscoso, Ryu, and Kenney

Removing provisions relating to subversive activities.

Repeals chapter 9.81 RCW (subversive activities).

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Judiciary.

**HB 2252** by Representative Fitzgibbon

Concerning proof of payment for certain transportation fares.

Requires persons traveling on public transportation to provide proof of payment for certain transportation fares.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Transportation.

**HB 2253** by Representatives Fitzgibbon, Billig, and Jinkins

Modernizing the functionality of the state environmental policy act.

Modifies provisions relating to the functionality of the state environmental policy act.

Creates the categorical exemption board to ensure that categorical exemptions and the environmental checklist

process are updated periodically to reflect current conditions, to reduce duplicative rules and regulations, and to contain avoidable costs while still meeting environmental review objectives.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Environment.  
 Jan 13 Scheduled for public hearing in the House Committee on Environment at 1:30 PM. (Subject to change)

**HB 2254** by Representatives Carlyle, Kagi, Reykdal, Darneille, Maxwell, Jinkins, Pedersen, Seaquist, Roberts, Dickerson, and Kenney

Enacting the educational success for youth and alumni of foster care act.

Establishes the educational success for youth and alumni of foster care act.

Modifies provisions relating to: (1) The passport to college promise program;

(2) The college bound scholarship program; and

(3) Reporting and other duties of the office of the superintendent of public instruction, the department of social and health services, the office of student financial assistance, and the education data center.

Repeals the expiration of chapter 28B.117 RCW (passport to college promise program).

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Higher Education.

**HB 2255** by Representatives Kirby and Bailey; by request of Department of Financial Institutions

Concerning nondepository institutions regulated by the department of financial institutions.

Makes technical corrections, modernizes statutes, and streamlines enforcement authorities of nondepository institutions regulated by the department of financial institutions.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Business & Financial Services.

**HB 2256** by Representatives Kelley, Bailey, Kirby, Rivers, Ryu, Condotta, Buys, and Stanford

Regulating the licensing of escrow agents.

Revises the definition of "escrow" for purposes of the escrow agent registration act.

Exempts certain entities licensed under the escrow agent registration act from the provisions of the consumer loan act.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Business & Financial Services.

**HB 2257** by Representatives Takko, Armstrong, Clibborn, Johnson, Springer, Ryu, Kristiansen, Rivers, and Billig

Changing the expiration date of the current allowable vehicle documentary service charge.

Changes the expiration of the current allowable vehicle documentary service charge.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Transportation.

**HB 2258** by Representatives Zeiger, Probst, Haler, Reykdal, Seaquist, Hasegawa, Fagan, Wilcox, Moeller, Ryu, and Kenney

Requiring an online higher education transfer and student advising system.

Requires the higher education coordinating board, in conjunction with the state board for community and technical colleges, the workforce training and education coordinating board, and the four-year institutions of higher education, to establish and maintain a statewide online transfer and student advising system.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Higher Education.

**HB 2259** by Representatives Zeiger, Seaquist, Haler, and Roberts

Eliminating certain duplicative higher education reporting requirements.

Minimizes the regulatory burden on institutions of higher education by eliminating reporting requirements that are duplicative of federal reporting requirements.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Environment.

**HB 2260** by Representatives Zeiger, Fitzgibbon, Jinkins, Wylie, Asay, Nealey, Rivers, Finn, Reykdal, Moeller, and Miloscia

Increasing penalties for littering.

Increases penalties for certain littering violations.

Requires a court to distribute one-third of litter cleanup restitution payments to the Washington conservation corps.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Environment.

**HB 2261** by Representatives Takko, Reykdal, Orcutt, Wilcox, Jinkins, Finn, and Hudgins

Providing limited immunity for organizations making charitable donations of eye glasses or hearing instruments.

Provides immunity from liability, under certain circumstances, to charitable organizations providing previously owned eyeglasses or hearing instruments.

-- 2012 REGULAR SESSION --

- Jan 10 First reading, referred to Judiciary.

**HB 2262** by Representatives Kagi, Hinkle, Darneille, Ladenburg, Walsh, Goodman, Carlyle, Fitzgibbon, Jinkins, Roberts, Ryu, and Kenney

Regarding constraints of expenditures for WorkFirst and child care programs.

Modifies funding provisions relating to the temporary assistance for needy families block grant, the child care development fund, the working connections child care program, child care quality programs, and child care licensing functions.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Ways & Means.

**HB 2263** by Representatives Kagi, Walsh, Carlyle, Ladenburg, Darneille, Goodman, Fitzgibbon, Jinkins, Roberts, Ryu, and Kenney

Reinvesting savings resulting from changes in the child welfare system.

Recognizes the need to reinvest savings related to foster care caseload reductions into effective efforts that improve outcomes.

Maximizes limited resources by continuing to focus on efforts to improve child safety, child permanency, and child well-being.

Requires the department of social and health services, in collaboration with the office of financial management and the caseload forecast council, to develop a methodology for calculating the savings.

Creates the child and family reinvestment account.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Ways & Means.

**HB 2264** by Representatives Kagi, Walsh, Hinkle, Carlyle, Darneille, Jinkins, Roberts, Dickerson, and Ryu

Concerning performance-based contracting related to child welfare services.

Modifies the current system of contracting for services needed by children and families in the child welfare system by creating a flexible, accountable community-based system of care.

Requires the department of social and health services and provider networks, through their collaborative efforts, to achieve certain goals.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Early Learning & Human Services.

**HB 2265** by Representatives Probst, Haler, Haigh, Rivers, Zeiger, Seaquist, Sells, Jinkins, Roberts, Hunt, Santos, Kelley, Finn, and Ryu

Establishing Washington works payments to increase graduation rates, address critical skill shortages, increase student success, and narrow the educational opportunity gap.

Establishes Washington works indicators for the state and for local school districts, community and technical colleges, four-year institutions of higher education, and workforce development councils.

Establishes the Washington works account to reward districts, colleges, institutions, programs, and councils for performance on the Washington works indicators.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Labor & Workforce Development.

**HB 2266** by Representatives Dickerson, Hudgins, Lytton, Reykdal, Eddy, Dunshee, Billig, Fitzgibbon, Moscoso, McCoy, Hunt, Pollet, Maxwell,

Jinkins, Pedersen, Lias, Hansen, Orwall, Ryu, Kenney, Stanford, and Hunter

Concerning children's safe products.

Prohibits manufacturers, wholesalers, and retailers from manufacturing, selling, offering for sale, distributing for sale, or distributing for use in this state, a children's product containing TRIS (as defined in section 1 of the act) in amounts greater than fifty parts per million in any component.

Requires certain manufacturers of children's products whose product contains TRIS to submit to the department of ecology an alternatives assessment.

Requires the department of ecology to provide technical assistance to any manufacturer required to conduct an alternatives assessment that requests assistance.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Environment.

**HB 2267** by Representatives Angel, Johnson, Haler, Asay, Wilcox, and Bailey

Concerning traditional and alternative sewer systems.

Authorizes: (1) Counties to construct or authorize the construction and use of traditional sanitary sewer systems within and outside of urban growth areas; and

(2) Counties and cities to construct or authorize the construction and use of alternative on or off-site sanitary sewer systems or services within their jurisdictional boundaries.

Directs the state board of health and the department of ecology to promote the proper and effective use of nontraditional sewer systems and services.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Local Government.

**HB 2268** by Representatives Angel, Haler, Zeiger, Reykdal, Darneille, Kelley, Jinkins, and Hargrove

Establishing financial literacy as a high school graduation requirement.

Requires the state board of education to establish as a high school graduation requirement that students complete at least one-half credit in financial literacy.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Education.

**HB 2269** by Representatives Angel, Armstrong, and Johnson

Modifying certain license plate requirements.

Addresses the number of license plates required on certain vehicles and reflectivity and replacement fees for passenger vehicle license plates.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Transportation.

**HB 2270** by Representatives Angel, Armstrong, Johnson, and Finn

Concerning signage for automated traffic safety camera locations.

Modifies duties of local legislative authorities by requiring the adoption of a definition of "clearly marked" with regard to signage for automated traffic safety cameras.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Transportation.

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### House Concurrent Resolutions

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**HCR 4407** by Representatives Sullivan and Kretz

Calling for a joint session.

Calls for a joint session.

-- 2012 REGULAR SESSION --

Jan 6 Prefiled for introduction.

Jan 9 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

-- IN THE SENATE --

Read first time, rules suspended, and placed on second reading calendar.

Rules suspended. Placed on Third Reading. Third reading, adopted.

**HCR 4408** by Representatives Sullivan and Kretz

Establishing cutoff dates for the 2012 regular session.

Establishes cutoff dates for the 2012 regular session.

-- 2012 REGULAR SESSION --

Jan 6 Prefiled for introduction.

Jan 9 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

-- IN THE SENATE --

Read first time, rules suspended, and placed on second reading calendar.

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### Senate Bills

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**SB 5620-S2** by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Becker, Keiser, and Parlette)

Requiring the certification of dental anesthesia assistants.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Prohibits a person from practicing or representing himself or herself as a certified dental anesthesia assistant without being certified by the dental quality assurance commission as having met the standards established for certification.

Prohibits a certified dental anesthesia assistant from practicing or representing himself or herself as a registered dental assistant without being registered by the dental quality assurance commission as having met the standards for registration.

-- 2011 REGULAR SESSION --

Feb 10 Public hearing in the Senate Committee on Health & Long-Term Care at 1:30 PM.

Feb 16 Executive action taken in the Senate Committee on Health & Long-Term Care at 9:00 AM.

-- 2012 REGULAR SESSION --

Jan 9 Executive action taken in the Senate Committee on Health & Long-Term Care at 1:30 PM.

Jan 10 HEA - Majority; 2nd substitute bill be substituted, do pass. Passed to Rules Committee for second reading.

**SB 5977-S** by Senate Committee on Energy, Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Litzow, Eide, Shin, Haugen, Rolfes, Swecker, Fain, Frockt, Hobbs, Schoesler, Fraser, Kilmer, Kohl-Welles, Chase, Hatfield, Nelson, Harper, Regala, Hargrove, Tom, Pridemore, Keiser, Conway, Kline, McAuliffe, Sheldon, Parlette, Hewitt, Honeyford, Roach, Carrell, and Pflug)

Making the discover pass transferable between two vehicles.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes the discover pass and vehicle access pass transferable between two vehicles.

Prohibits a state agency from refunding money for a discover pass or vehicle access pass issued before the effective date of the act.

-- 2011 2ND SPECIAL SESSION --

Dec 14 Public hearing in the Senate Committee on Energy and Natural Resources & Marine Waters at 3:30 PM.

-- 2012 REGULAR SESSION --

Jan 9 Executive action taken in the Senate Committee on Energy and Natural Resources & Marine Waters at 1:30 PM.

Jan 10 ENRM - Majority; 1st substitute bill be substituted, do pass. And refer to Ways & Means.

**SB 5978-S** by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Pflug, Keiser, Frockt, Conway, and Kohl-Welles)

Concerning medicaid fraud.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes the medicaid fraud false claims act. Enacts a state false claims act in order to provide the state with another tool to combat medicaid fraud.

Establishes the crime of medicaid theft as a class B felony.

Creates the medicaid fraud penalty account.

-- 2011 2ND SPECIAL SESSION --

Dec 8 Public hearing in the Senate Committee on Health & Long-Term Care at 10:00 AM.

-- 2012 REGULAR SESSION --

Jan 9 Executive action taken in the Senate Committee on Health & Long-Term Care at 1:30 PM.

Jan 10 HEA - Majority; 1st substitute bill be substituted, do pass. And refer to Ways & Means. Minority; without recommendation.

Referred to Ways & Means.

**SB 6055** by Senators Eide, King, Hobbs, Haugen, Rolfes, Delvin, Fain, Shin, and Conway

Changing the expiration date of the current allowable vehicle documentary service charge.

Changes the expiration of the current allowable vehicle documentary service charge.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Transportation.

**SB 6056** by Senators Swecker, Pridemore, and Shin

Concerning legal defense funds of candidates and public officials.

Establishes the legal defense funds act.

Requires disclosure of, and provides limitations on, donations given to or raised by public officials and candidates to fund their legal defense.

Provides that the legal defense funds act constitutes the sole authority for soliciting or accepting donations to a separate legal defense fund created by or for a candidate or public official.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Government Operations, Tribal Relations & Elections.

**SB 6057** by Senators Honeyford, Hatfield, Becker, Schoesler, Shin, and Delvin

Permitting recreation rock collecting, subject to certain restrictions.

Authorizes recreational rock collecting on state lands managed by the department of fish and wildlife, the department of natural resources, and the state parks and recreation commission.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Energy, Natural Resources & Marine Waters.

**SB 6058** by Senators Regala and Prentice

Specifically authorizing single-sex classes.

Authorizes single-sex classes.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Early Learning & K-12 Education.

**SB 6059** by Senators Conway, Kastama, Shin, Kohl-Welles, and Roach

Establishing the veterans' raffle.

Establishes the veterans' raffle.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Labor, Commerce & Consumer Protection.

Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 1:30 PM.

**SB 6060** by Senators Keiser, King, Kline, Honeyford,

Kohl-Welles, Schoesler, and Holmquist Newbry

Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises.

Authorizes the offering or supplying of wine or beer by the individual glass, without charge, to a customer for consumption on the premises of a day spa.

-- 2012 REGULAR SESSION --

Jan 10 First reading, referred to Labor, Commerce & Consumer Protection.

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### Senate Concurrent Resolutions

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**SCR 8407** by Senators Brown and Hewitt

Notifying the Governor that the Legislature is ready to conduct business.

Notifies the governor that the legislature is ready to conduct business.

-- 2012 REGULAR SESSION --

Jan 9 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

-- IN THE HOUSE --

Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

**SCR 8408** by Senators Brown and Hewitt

Specifying the status of bills, memorials, and resolutions for the 2012 regular session of the Sixty-second Legislature.

Specifies the status of bills, memorials, and resolutions for the 2012 regular session.

-- 2012 REGULAR SESSION --

Jan 9 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

-- IN THE HOUSE --

Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.