

THIRTY-FIRST DAY, FEBRUARY 7, 2007

2007 REGULAR SESSION

## THIRTY-FIRST DAY

## MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 7, 2007

The Senate was called to order at 10:00 a.m. by President Pro Tempore. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senators Benton, Berkey, Clements, Fairley, Haugen, Hobbs, Holmquist, Jacobsen, Keiser, Kline, Kohl-Wells, Morton, Parlette, Poulsen, Prentice, Roach, Weinstein and Zarelli.

The Sergeant at Arms Color Guard consisting of Pages Claire Lyman and Molly Payne, presented the Colors.

## MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

## MOTION

There being no objection, the Senate advanced to the first order of business.

## REPORTS OF STANDING COMMITTEES

February 5, 2007  
SB 5128 Prime Sponsor, Jacobsen: Clarifying recordkeeping requirements for fish or shellfish storage facilities. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

February 6, 2007  
SB 5204 Prime Sponsor, Rasmussen: Enforcing animal health laws. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Jacobsen, Morton, Schoesler and Shin

Passed to Committee on Rules for second reading.

February 6, 2007  
SB 5227 Prime Sponsor, Tom: Increasing the penalty for animal abandonment. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5227 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove, McCaslin, Murray, Roach and Weinstein

Passed to Committee on Rules for second reading.

February 5, 2007  
SB 5248 Prime Sponsor, Hatfield: Preserving the viability of agricultural lands. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5248 be substituted therefor, and the substitute bill do

pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Rules for second reading.

February 5, 2007  
SB 5272 Prime Sponsor, Haugen: Modifying the administration of fuel taxes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Berkey, Eide, Jacobsen, Kauffman, Kilmer, Sheldon, Spanel and Swecker

MINORITY recommendation: Do not pass. Signed by Senators Clements, Delvin and Holmquist

Passed to Committee on Rules for second reading.

February 6, 2007  
SB 5350 Prime Sponsor, Kline: Modifying provisions affecting the unauthorized transfer of telephone records. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5350 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Hargrove, McCaslin, Murray and Weinstein

MINORITY recommendation: Without recommendation. Signed by Senators Carrell and Roach

Passed to Committee on Rules for second reading.

February 5, 2007  
SB 5391 Prime Sponsor, Kilmer: Modifying photo enforcement of traffic infraction provisions. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5391 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Berkey, Delvin, Eide, Jacobsen, Kauffman, Kilmer, Sheldon and Spanel

MINORITY recommendation: Do not pass. Signed by Senators Clements and Holmquist

Passed to Committee on Rules for second reading.

February 6, 2007  
SB 5397 Prime Sponsor, Rasmussen: Extending an asparagus exception to the standards for fruits and vegetables. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Jacobsen, Morton, Schoesler and Shin

Passed to Committee on Rules for second reading.

February 6, 2007  
SB 5405 Prime Sponsor, Carrell: Providing procedures for judicial orders concerning distraint of personal property. Reported by Committee on Judiciary

THIRTY-FIRST DAY, FEBRUARY 7, 2007

2007 REGULAR SESSION

MAJORITY recommendation: That Substitute Senate Bill No. 5405 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove, McCaslin, Murray, Roach and Weinstein

Passed to Committee on Rules for second reading.

February 6, 2007

SB 5456 Prime Sponsor, Morton: Revising rules concerning nonresidents' participation in hunting and organized shooting events. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5456 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove, McCaslin, Murray, Roach and Weinstein

Passed to Committee on Rules for second reading.

February 5, 2007

SB 5485 Prime Sponsor, Sheldon: Changing veterinary technician credentialing to licensure. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5485 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Rules for second reading.

February 6, 2007

SB 5723 Prime Sponsor, Rasmussen: Creating and funding the community agricultural worker safety grant program. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Jacobsen, Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

February 6, 2007

SB 5749 Prime Sponsor, Schoesler: Regarding Brassica seed production. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Jacobsen, Morton, Schoesler and Shin

Passed to Committee on Rules for second reading.

February 5, 2007

SB 5778 Prime Sponsor, Fraser: Concerning shellfish protection programs. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Without recommendation. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Spanel, Stevens and Swecker

Passed to Committee on Water, Energy & Telecommunications.

February 5, 2007

SB 5799 Prime Sponsor, Haugen: Reducing business and occupation tax rates for certain fuel distributors. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5799 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Berkey, Clements, Delvin, Eide, Holmquist, Jacobsen, Kauffman, Kilmer, Sheldon, Spanel and Swecker

Passed to Committee on Ways & Means.

## MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5749 which was referred to the Committee on Rules.

## MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

## INTRODUCTION AND FIRST READING

SB 5912 by Senators Rockefeller, Roach, Kohl-Welles, Rasmussen and Holmquist

AN ACT Relating to providing a business and occupation tax deduction for amounts physicians receive from medicaid or medicare when the amount is less than the cost of certain prescription drugs; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

SB 5913 by Senators Kline, Swecker, Jacobsen, Hatfield, Pflug, Clements, Tom, Kilmer, Marr, Delvin, Parlette, McCaslin, Rockefeller, Benton, Franklin, Shin, Sheldon, Rasmussen and Holmquist

AN ACT Relating to growth management planning related to the development of population projections; and amending RCW 36.70A.210 and 43.62.035.

Referred to Committee on Government Operations & Elections.

SB 5914 by Senators Kline, Swecker, Jacobsen, Hatfield, Pflug, Clements, Tom, Kilmer, Marr, Delvin, Parlette, McCaslin, Benton, Franklin, Shin, Sheldon, Rasmussen and Holmquist

AN ACT Relating to performance measures in countywide planning policies for the purpose of growth management planning; and amending RCW 36.70A.030 and 36.70A.210.

Referred to Committee on Government Operations & Elections.

SB 5915 by Senators Honeyford, Clements, Kohl-Welles and Roach

AN ACT Relating to unemployment and industrial insurance notices required to be posted by employers; adding a new section to chapter 50.12 RCW; and adding a new section to chapter 51.04 RCW.

THIRTY-FIRST DAY, FEBRUARY 7, 2007

2007 REGULAR SESSION

Referred to Committee on Labor, Commerce, Research & Development.

SB 5916 by Senator Regala

AN ACT Relating to filing reports electronically to the legislature; and adding a new section to chapter 43.01 RCW.

Referred to Committee on Government Operations & Elections.

SB 5917 by Senators Kohl-Welles, Keiser, Fairley, Kastama, Franklin, Marr and Kline

AN ACT Relating to prescription drug marketing and disclosure; adding a new chapter to Title 69 RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5918 by Senators Fraser and Delvin

AN ACT Relating to retirement benefits for judges; and amending RCW 2.14.100 and 2.14.110.

Referred to Committee on Ways & Means.

SB 5919 by Senators Hobbs, Benton, Berkey, Schoesler, Hatfield, Roach and Shin

AN ACT Relating to retaliatory tax relief on insurance premium taxes; and amending RCW 48.18.170, 48.18.180, and 48.02.190.

Referred to Committee on Financial Institutions & Insurance.

SB 5920 by Senators Kohl-Welles, Keiser, Shin and Rasmussen

AN ACT Relating to a pilot program for vocational rehabilitation services; amending RCW 51.32.095; adding a new section to chapter 51.32 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5921 by Senators Fairley, Keiser and Murray

AN ACT Relating to use of agency shop fees; amending RCW 42.17.760; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5922 by Senators Rasmussen, Brandland and Spanel

AN ACT Relating to business and occupation taxation of health care services provided to government; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

SB 5923 by Senators Swecker, Jacobsen and Sheldon

AN ACT Relating to aquatic invasive species enforcement and control; amending RCW 43.43.400, 77.12.879, 77.15.253, and 77.15.290; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5924 by Senators Murray and Swecker

AN ACT Relating to establishing licensing requirements for certain vehicle dealers; amending RCW 46.09.020, 46.70.011, 46.10.010, and 46.10.043; and repealing RCW 46.09.080, 46.09.085, 46.10.050, and 46.10.055.

Referred to Committee on Transportation.

SB 5925 by Senators Sheldon, Clements, Swecker, Schoesler, Shin, Haugen, Delvin and Rasmussen

AN ACT Relating to the sales and use tax for public facilities in rural counties; and amending RCW 82.14.370.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5926 by Senators Kohl-Welles, Clements, Kastama, Weinstein, Fairley, Keiser, Marr, Tom, Murray, Oemig, Sheldon and Kline

AN ACT Relating to creating a joint legislative task force to review the underground economy in the construction industry; creating new sections; and providing an expiration date.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5927 by Senator Delvin

AN ACT Relating to independent auditor reports and financial statements of licensees regulated by the gambling commission; reenacting and amending RCW 42.56.270 and 42.56.270; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5928 by Senators Kohl-Welles and Franklin

AN ACT Relating to industrial insurance compensation for medical or surgical treatment for intractable pain; and adding a new section to chapter 51.36 RCW.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5929 by Senator Delvin

AN ACT Relating to making a false or misleading material statement that results in an Amber alert; adding a new section to chapter 9A.76 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5930 by Senators Keiser, Kohl-Welles, Shin and Rasmussen

THIRTY-FIRST DAY, FEBRUARY 7, 2007

2007 REGULAR SESSION

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 41.05.220 and 48.41.110; adding new sections to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; adding new sections to chapter 43.70 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; creating new sections; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5931 by Senators Haugen and Swecker

AN ACT Relating to tolling.

Referred to Committee on Transportation.

SB 5932 by Senators Haugen and Swecker

AN ACT Relating to transportation financing.

Referred to Committee on Transportation.

SB 5933 by Senators Haugen and Swecker

AN ACT Relating to transportation funding and appropriations.

Referred to Committee on Transportation.

SB 5934 by Senators Haugen and Swecker

AN ACT Relating to ferries.

Referred to Committee on Transportation.

SB 5935 by Senators Haugen, Swecker and Sheldon

AN ACT Relating to authorizing bonds for transportation funding.

Referred to Committee on Transportation.

SB 5936 by Senators Haugen and Swecker

AN ACT Relating to transportation funding in the central Puget Sound region.

Referred to Committee on Transportation.

SB 5937 by Senators Haugen, Swecker, Murray and Kauffman

AN ACT Relating to the creation and distribution of funds for additional patrols along high-accident corridors; amending RCW 46.20.293, 46.29.050, and 46.52.130; and adding a new section to chapter 46.68 RCW.

Referred to Committee on Transportation.

SB 5938 by Senators Haugen, Swecker, Fairley, Kauffman, Sheldon, Roach, Shin and Rasmussen

AN ACT Relating to human remains; amending RCW 27.44.030, 27.44.020, 68.60.050, 27.44.050, 27.44.901, 68.60.010, 68.60.020, and 68.60.030; adding new sections

to chapter 27.44 RCW; recodifying RCW 68.60.010, 68.60.020, 68.60.030, 68.60.040, 68.60.050, and 68.60.060; repealing RCW 27.44.040; and prescribing penalties.

Referred to Committee on Government Operations & Elections.

SB 5939 by Senators Kauffman, Kastama and Kilmer

AN ACT Relating to selecting economic benchmarks; and amending RCW 82.33A.005, 82.33A.010, and 82.33A.020.

Referred to Committee on Economic Development, Trade & Management.

SB 5940 by Senators Kline, Benton, Kohl-Welles, Roach, Keiser, Zarelli, Pridemore and Rasmussen

AN ACT Relating to prohibiting the use of state funds provided for long-term care services from being used to assist, promote, or deter union organization; amending RCW 74.39A.007, 74.39A.080, 70.128.160, and 74.42.580; and adding a new section to chapter 74.39A RCW.

Referred to Committee on Labor, Commerce, Research & Development.

SCR 8405 by Senators Haugen, Swecker, Murray, Zarelli and Rasmussen

Establishing a joint interim work group concerning the Columbia River Crossing Project.

Referred to Committee on Transportation.

#### MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

The President assumed the chair.

#### PERSONAL PRIVILEGE

Senator Delvin: "Thank you Mr. President. Today on campus there's a group wearing red shirts and they'll be very noticeable around campus. They're here to speak about diabetes and bring a diabetic for now about fourteen, fifteen years now, it's good to see advocates here and I would just urge everyone to really closely listen to them, what they have to say and because early intervention in diabetes certainly can make a difference. Thank you Mr. President."

#### MOTION

On motion of Senator Eide, the Senate advanced to the eighth order of business.

#### MOTION

Senator Hewitt moved adoption of the following resolution:

#### SENATE RESOLUTION 8621

By Senator Hewitt

WHEREAS, There are over 200 local Chambers of Commerce in the state of Washington representing

THIRTY-FIRST DAY, FEBRUARY 7, 2007

approximately 65,000 small businesses and employing over 3,000,000 citizens; and

WHEREAS, Washington State Chambers of Commerce raise over 40,000,000 dollars annually for local community enrichment projects, involving more than 20,000 volunteers who generously give their time and talent; and

WHEREAS, Washington State Chambers of Commerce managed in excess of 4,000,000 visitor and relocation inquiries last year, and at the same time served over 25,000 businesses that sought information about expanding their companies in our state; and

WHEREAS, Chambers of Commerce across Washington state have served their local communities with distinction, dedication, and dignity, enhancing the state's economy and improving the quality of life for its citizens;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate officially recognize the invaluable work local Chambers of Commerce provide to both the economy and citizens of this state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the United States Chamber of Commerce in Washington, D.C.

Senator Hewitt spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8621.

The motion by Senator Hewitt carried and the resolution was adopted by voice vote.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the American Diabetes Association who were seated in the gallery.

#### MOTION

On motion of Senator Eide, the Senate reverted to the sixth order of business.

#### SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Fraser moved that Gubernatorial Appointment No. 9027, Chris Hedrick, as a member of the Board of Trustees, The Evergreen State College, be confirmed.

Senator Fraser spoke in favor of the motion.

#### MOTION

On motion of Senator Regala, Senators Berkey, Fairley, Haugen, Poulsen and Prentice were excused.

#### MOTION

On motion of Senator Brandland, Senators Benton, Clements, Holmquist, Morton, Parlette and Roach were excused.

#### APPOINTMENT OF CHRIS HEDRICK

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9027, Chris Hedrick as a member of the Board of Trustees, The Evergreen State College.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9027, Chris Hedrick as a member of the Board of Trustees, The Evergreen State College

2007 REGULAR SESSION

and the appointment was confirmed by the following vote: Yeas, 31; Nays, 0; Absent, 7; Excused, 11.

Voting yea: Senators Brandland, Brown, Carrell, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Hewitt, Honeyford, Kastama, Kauffman, Kilmer, Marr, McAuliffe, McCaslin, Murray, Oemig, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker and Tom - 31

Absent: Senators Hobbs, Jacobsen, Keiser, Kline, Kohl-Welles, Weinstein and Zarelli - 7

Excused: Senators Benton, Berkey, Clements, Fairley, Haugen, Holmquist, Morton, Parlette, Poulsen, Prentice and Roach - 11

Gubernatorial Appointment No. 9027, Chris Hedrick, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, The Evergreen State College.

#### MOTION

At 10:23 a.m., on motion of Senator Eide, the Senate was declared to be at ease for the purpose of Joint Session.

#### JOINT SESSION

The Speaker (Representative Lovick presiding) called the House to order.

Mark Frydrychowski, Session Legislative Assistant to Senator Swecker gifted the Chamber with a selection of classic guitar music.

The Sergeant at Arms announced that the Senate had arrived. The Speaker (Representative Lovick presiding) requested that the Sergeant at Arms of the House and the Sergeant at Arms of the Senate escort President Pro Tempore Rosa Franklin, Majority Caucus Chair Harriet Spanel, Vice President Pro Tempore Paull Shin and Republican Floor Leader Mark Schoesler to seats on the Rostrum. The Senators were invited to seats within the Chamber.

The Speaker (Representative Lovick presiding) called upon President Pro Tempore Franklin to preside over the Joint Session.

President Pro Tempore Franklin called the Joint Session to order. The Clerk called the roll of the House and Senate and a quorum was present.

President Pro Tempore Franklin introduced the statewide elected officials: Secretary of State Sam Reed and State Treasurer Mike Murphy.

The Clerk called the roll of the former members who were in attendance: Rick Bender, Bill Brumsickle, Don Carlson, Barbara Cothern, Richard King, Bill Kiskaddon, R.H. "Bob" Lewis, former Secretary of State Ralph Munro, Gary Nelson, Cathy Pearsall-Stipeck, Paul Sanders, Rollie Schmitt, Gary Strannigan, Art Wang, William E. "Bill" Young and Hal Zimmerman.

The Flags were escorted to the Rostrum by the Olympia Marine Corps League Color Guard. President Pro Tempore Franklin led the Chamber in the Pledge of Allegiance.

#### REMARKS BY PRESIDENT PRO TEMPORE

President Pro Tempore Franklin announced the purpose of the joint session was to conduct memorial services in memory of

THIRTY-FIRST DAY, FEBRUARY 7, 2007

departed former members of the Legislature. On behalf of the Senate and the House of Representatives, President Pro Tempore Franklin extend a welcome to all the family members who were present. President Pro Tempore Franklin turned the gavel over to Speaker Pro Tempore Lovick to conduct the service.

Father Benedict Auer, St. Martin's University gave the Invocation: "The other morning, Mount Rainier had a shadow against the clouds in the sky, which is unique and happens only on certain rare mornings. The ability to see this shadow is even rarer because the shadow is often covered by gray cloudiness, and you miss it. But this year, it was visible in a pink and salmon colored sky. Today we invoke the Creator of the beauty of this state and our country as we memorialize those individuals who have served our State so well.

Creator of all that is seen and unseen, we come together to remember, for as Joseph Campbell wrote, "To live in the hearts we leave behind is not to die." We know we carry with us all those who shaped our lives either directly or indirectly. We are all on a quest or search for truth, while some of us recognize this better than others. This morning, we honor those who saw this pilgrimage clearer than any of us, and committed themselves to changing and caring for our state in all its needs.

Our State stands as a monument to those who have represented us and dedicated themselves to our service. Together as community we uplift and care for each other. In some people this service is greater than others. The British poet, Christina Rossetti, reminded us in the nineteenth century:

"Remember me when I am gone away,  
Gone far away into the silent land;  
When you can no more hold my hand,  
Nor I half turn to go yet turning stay."

This day we remember. We recall. We see with our ears and hear with our hearts. We see through a glass darkly, but we recognize their departure and mourn their leaving, but as the author of *The Little Prince*, Antoine de Saint-Exupery wrote, "Higher Education & Workforce Education or she who has gone, so we cherish their memory. They abide in us, more potent, nay, more present than the living person."

It is with deep gratitude that we remember and honor departed members of this Legislature who have made their transition, passing from this earthly life. We grieve, but as Shakespeare wrote in *Macbeth*: "Give sorrow words; the grief that does not speak whispers the fraught hearts and bids it break." At this time, we give sorrow words. We are thankful for each of these persons, their dedication speaks to everyone. Their example of leadership and commitment spurs us on to imitate their examples.

A native American explanation captures our purpose today:

"You shall ask  
What good are dead leaves  
And I will tell you  
They nourish the sore earth.  
You shall ask  
What reason is there for winter  
And I will tell you  
To bring about new leaves.

You shall ask  
Why are the leaves so green  
And I will tell you  
Because they are rich with life.  
You shall ask  
Why must summer end

And I will tell you  
So that the leaves will die."

The cycle of life is a gift from you, O Great Creator of all things. Hebrew Scriptures tells us:

"For everything there is a season  
A time to be born and a time to die;  
A time to plant and a time to pluck what is planted;  
A time to break down and a time to build up;  
A time to weep and a time to laugh;  
A time to mourn and a time to dance;  
For everything there is a season,  
And a time for every matter under heaven."

Today we remember and thank the Creator of all those sent to us who served and cared for us. We offer gratitude for the uniqueness of all who you created, O Divine Creator, and knowing our lives will never be the same because of these people. As the Medieval Mystic, Meister Eckhart wrote: "The greatest prayer you can say is thank you."

Thank you and Amen."

The Olympia High School Concert Choir under the direction of Dan Schwartz sang "Song of Triumph."

Mr. Speaker (Representative Lovick presiding): "We are assembled today to pay tribute to the lives and services of the distinguished former members of the Washington State Senate and House of Representatives who have passed from among us. The people of our State are grateful for their service. The Sixtieth Legislature of the State of Washington conveys its respects to those deceased legislators.

They once sat in the hallowed chambers of the House and Senate; answered roll calls on sometimes critical perplexing bills, attended committee meetings, above all else, served to the best of their abilities to make our State a better and more enjoyable place to live. While their journey in this life is completed, their achievements, records and valued services have been recorded in the journals of the Senate and House, and are now and forevermore a permanent part of the history of the State of Washington.

We express our sympathies to the bereaved families and their friends and also share with them on this memorable occasion the fond and happy memories of these legislators, who served well beyond their call of duty and responsibilities and truly loved this great State. They have indeed left a legacy of dedicated service that will remain forever etched in our hearts, our memories and our Legislative records."

Speaker Pro Tempore Lovick and President Pro Tempore Franklin called the roll of the deceased former members of the Senate and House of Representatives assisted by Candlelight pages, Brittany Warner and Aiden Borer.

<u>Member</u>	<u>District and Years served</u>
Russell Austin Jr.	33rd District House 1980-81 Memorialized by Representative Shay Schual-Berke
Robert C. Bailey	19 <sup>th</sup> District House 1951-57, Senate 1957-77 Memorialized by Senator Brian Hatfield
H. Stan Bradley	31 <sup>st</sup> District House 1971-73 Memorialized by Representative Larry Seaquist

THIRTY-FIRST DAY, FEBRUARY 7, 2007

2007 REGULAR SESSION

George W. Clarke 41<sup>st</sup> District  
House 1967-71, Senate 1971-85  
Memorialized by Representative Fred Jarrett

Hubert F. Donohue 9<sup>th</sup>, 11<sup>th</sup> District  
Senate 1973-81  
Memorialized by Representative Phyllis Kenney

Martin J. Durkan 31<sup>st</sup>, 47<sup>th</sup> District  
House 1957-58, Senate 1959-1975  
Memorialized by Representative Pat Sullivan

Ruth Fisher 27<sup>th</sup> District  
House 1983-2002  
Memorialized by Representative Jeannie Darneille

Herb Hadley 18<sup>th</sup> District  
House 1963-1965  
Memorialized by Representative Ed Orcutt

Dick Hemstad 22<sup>nd</sup> District  
Senate 1981-1985  
Memorialized by Representative Gary Alexander

Geraldine McCormick 5<sup>th</sup> District  
House 1969-82  
Memorialized by Senator Chris Marr

Art Moreau 42<sup>nd</sup> District  
House 1975-79  
Memorialized by Senator Dale Brandland

Curtis Smith 13<sup>th</sup> District  
House 1979-90  
Memorialized by Representative Maralyn Chase

Thomas Allen Swayze Jr. 26<sup>th</sup> District  
House 1965-73  
Memorialized by Senator Derek Kilmer

Jim West 6<sup>th</sup> District  
House 1983-87, Senate 1987-2003  
Memorialized by Senator Mike Hewitt

Walter Williams 43<sup>rd</sup> District  
House 1961-62, Senate 1963-70  
Memorialized by Senator Tracey Eide

Rabbi Dan Bridge, Rabbi Emeritus, Hillel, Foundation for Jewish Life, University of Washington gave the Memorial Prayer: "In speaking of people of greatness, Sir Isaac Newton quoted Bernard of Chartes claiming that we stand on the shoulders of giants. Today we call out the names of Washington State legislators and we light these candles to reminder ourselves that we are here only because we are able to stand on their shoulders. Today we are in this hall of great promise to remember first, the emptiness, the sadness left in the spaces they occupied in our lives, and in the life of this great State. And secondly we stand here to remember their legacies. Rabbi Bernard Raskas describes the impact of a person's life. "What is this immortality in which I believe. I believe that a person lives in his or her family. I believe in the immortality of friends and helpfulness. And I believe that there is a form of immortality in the institutions we build and the causes we espouse."

And thirdly, we light these candles so that we can be inspired – we the people who stand on the shoulders of these legislators – those who came before us. They have certainly lifted us up. I pray we will remember to be inspired by their lives. And that we will be moved – moved enough to act as their hands in a world to which they no longer belong – a world that needs so much fixing.

A prayer the Jewish Reform Movement reads "May the nobility in lives and the high ideals they cherish endure in our thoughts and live on in our deeds." Zichronam livracha - May we make the memories a blessing

The Olympia High School Chamber Choir, directed by Dan Schwartz sang "Set me as a Seal".

The Olympia Marine Corps League Detachment Color Guard presented of Flag. Sergeant Michelle Wheeler, 133rd Army National Guard Band played "Taps".

Pastor Phil Rue, Gloria Dei Lutheran Church, Olympia gave the closing prayer: "Oh mighty and most gracious God, it is in Your heart to love and to seek the wholeness of all of the creation. We give You thanks for those whom You have worked in and through, and who have reflected that grace and whom we honor this day.

We are grateful for their contributions. We are grateful for their legacy. As You have called us to love justice, to love kindness and to walk humbly before You, we thank You for that reflection, and what they have given to us. We ask and we pray that Your spirit would be infused within us. Look over us that we might know Your justice, that we might act with compassion and care, that we might know the wisdom of walking humbly before You and each other. Continue to place within the leaders of this great State the conviction of those things that are dear and precious, and the wisdom to know our fallibilities. And the ability to work together.

Let your blessing be upon those who have loved those we honor this day. Let your blessing be here in this place where decisions are made, where there is service and concern for the people who are represented. Help us always to remember the calling that is ours as we continue to serve in this place. Grant us your grace to love, to serve, to care.

We pray this in your great name. Amen."

"Amazing Grace" was played on the bagpipes by Lieutenant Keith Huntley of the Washington State Patrol.

Speaker Pro Tempore Lovick returned the gavel to President Pro Tempore Franklin who thanked the members of the Memorial Committee and everyone who participated in the day's ceremony.

President Pro Tempore Franklin turned the gavel over to Speaker Pro Tempore Lovick who asked the Sergeant at Arms of the House and Senate to escort President Pro Tempore Franklin, Majority Caucus Chair Harriet Spanel, Vice President Pro Tempore Paull Shin and Minority Floor Leader Mark Schoesler from the Rostrum and the senators from the Chamber.

On motion of Representative Kessler, the Joint Session was dissolved.

The Senate was called to order at 11:23 a.m. by President Pro Tempore.

At 11:23 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, February 8, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

5128		Introduction & 1st Reading	3	
	Committee Report	5924	Introduction & 1st Reading	3
5204		5925	Introduction & 1st Reading	3
	Committee Report	5926	Introduction & 1st Reading	3
5227		5927	Introduction & 1st Reading	3
	Committee Report	5928	Introduction & 1st Reading	3
5248		5929	Introduction & 1st Reading	3
	Committee Report	5930	Introduction & 1st Reading	3
5272		5931	Introduction & 1st Reading	4
	Committee Report	5932	Introduction & 1st Reading	4
5350		5933	Introduction & 1st Reading	4
	Committee Report	5934	Introduction & 1st Reading	4
5391		5935	Introduction & 1st Reading	4
	Committee Report	5936	Introduction & 1st Reading	4
5397		5937	Introduction & 1st Reading	4
	Committee Report	5938	Introduction & 1st Reading	4
5405		5939	Introduction & 1st Reading	4
	Committee Report	5940	Introduction & 1st Reading	4
5456		8405	Introduction & 1st Reading	4
	Committee Report	8621	Adopted	5
5485			Introduced	4
	Committee Report	9027 Chris Hedrick	Confirmed	5
5723			PRESIDENT OF THE SENATE	
	Committee Report		Intro. of Special Guests	5
5749			WASHINGTON STATE LEGISLATURE	
	Committee Report		Joint Session: Memorial Service	5
	Other Action		Remarks by President Pro Tempore	5
5778			WASHINGTON STATE SENATE	
	Committee Report		Personal Privilege, Senator Delvin	4
5799				
	Committee Report			
5912				
	Introduction & 1st Reading			
5913				
	Introduction & 1st Reading			
5914				
	Introduction & 1st Reading			
5915				
	Introduction & 1st Reading			
5916				
	Introduction & 1st Reading			
5917				
	Introduction & 1st Reading			
5918				
	Introduction & 1st Reading			
5919				
	Introduction & 1st Reading			
5920				
	Introduction & 1st Reading			
5921				
	Introduction & 1st Reading			
5922				
	Introduction & 1st Reading			
5923				