

FIRST DAY, JANUARY 10, 2005
**JOURNAL OF THE SENATE
STATE OF WASHINGTON
2005 REGULAR SESSION
FIFTY-NINTH LEGISLATURE**

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FIRST DAY

NOON SESSION

Senate Chamber, Olympia, Monday, January 10, 2005

At 12:00 noon, pursuant to law, the Senate of the 2005 Regular Session of the Fifty-ninth Legislature of the state of Washington assembled in the Senate Chamber at the State Capitol. Lieutenant Governor Brad Owen, President of the Senate, called the Senate to order.

The Washington State Patrol Honor Guard, consisting of Troopers Craig B. Anders, Trooper Ted R. Dehart, Trooper John J. Gundermann, Trooper Jimmie Foster, Trooper Rachel Thompson, Trooper Ryan L. Spurling, Sergeant John-Paul Sager and Sergeant Barry W. Kirk, presented the colors.

The President led the Senate in the Pledge of Allegiance.

Reverend Lonnie Mitchell, Sr., of the Bethel African Methodist Episcopal Church of Spokane offered the prayer.

REMARKS BY THE PRESIDENT

President Owen: "Ladies and Gentlemen of the Senate. The President would like to welcome you back into this magnificent Chamber. I would like to start by thanking all of you who served the last couple of years for the tremendous patience that you demonstrated, your adherence to the difficult rules of decorum, protocol and showing great respect to the institution as we were in the temporary quarters. We're back in this magnificent building to do the work of the people, particularly the new members who may have never been in this building or served in this building before. To understand the magnitude of the job that you have to do I encourage you sit here, come back maybe when your all alone and look about the Chamber and look up and around and I believe that this building exemplifies the magnitude of the job you have to do here representing all the people of the great state of Washington. We are most fortunate in having this building and being able to come and serve in it. We are all blessed by the fact that the people have sent us here to represent them.

INTRODUCTION OF LAKEFAIR QUEEN

The President welcomed and introduced Lakefair Queen Haley Erickson, who was seated on the rostrum.

REMARKS BY LAKEFAIR QUEEN

Queen Haley Erickson: "Good afternoon everyone and thank you so much for having me here today. I'd like to welcome you. My name is Haley Erickson and I'm here proudly representing Olympia Capital Lakefair as the current Lakefair Queen. For those of you who might not be very familiar with Lakefair, it's a week long festival in July that began in 1957 a few years after Capital Lake was formed. It features many wonderful traditions such as the carnival, beautiful fireworks, the twilight parade and of course the many exciting Lakefair royalty court activities. Serving on the royalty court has left me with so many incredible opportunities. With one of the most exciting definitely being the chance to address you here today. I would like to wish you the very best of luck in the upcoming year and express my gratitude for your countless hours of hard work. I'm so thankful for your dedication and your vision and I'm so proud to welcome you here to Olympia and Thurston County. Olympia celebrated its one-hundred anniversary at Priest Point Park this year. A park that is an enormous pride and joy to our town and was created on a foundation of cooperation and combined effort of community

leaders. This land mark is a shining example of what monumental accomplishments can come about from leadership that works together for change and the good of the people. With the caliber leadership in this room today, I'm so optimistic about our future and so very excited to see what's in store for our great state of Washington. Again, I'd like to wish you all the very best of luck and a happy New Year. Thank you."

SENATOR BENSON RESOLUTION OATH OF OFFICE HERE

LETTERS OF RESIGNATIONS

WASHINGTON STATE SENATE
Senator Patricia Hale
8th Legislative District

March 18, 2004

The Honorable Gary Locke
Washington State Governor
P. O. Box 40002
Olympia, WA. 98504-0002

Dear Governor Locke:

It is with real sense of sadness that I hereby resign my Senate seat. For the past couple of years, I have been thinking about the next chapter in my life, trying to decide what exactly I want to do and when it should happen. I have prayed about it constantly and feel I'm ready to turn the page.

As you might expect, my overriding reasons for leaving are tied directly to my family. They are all in Virginia, where I have a new grandson I've never met and a granddaughter I've seen only a couple of times. Tom and I want to be able to hug our children more than twice a year and be there to watch our grand babies grow up. For that reason, I have accepted an appointment in the Bush Administration, where I'll be senior policy advisor to the Small Business Administration. This is a good fit for me since my legislative focus has been largely on small business issues.

I has been a tremendous honor to serve the people of the 8th Legislative District and all Washington State residents. Together, we have worked hard to make this a better place to do business, live and raise our families.

The effective date of my resignation is April 15th. Between now and then, the Benton County Republican Party will appoint an individual to fill my seat until the next election.

Thank you for your kindness to me during the years we have worked together. I wish you and Mona every happiness as you, too, begin a new chapter in your lives.

Sincerely,
PATRICIA HALE, 8th Legislative District

LETTERS OF RESIGNATION AMENDED

WASHINGTON STATE SENATE
Senator Patricia Hale
8th Legislative District

March 23, 2004

The Honorable Gary Locke
Washington State Governor
P. O. Box 40002
Olympia, WA 98504-0002

Dear Governor:

June 18, 2004

Since my resignation letter to you dated March 18, 2004, I have learned that the Benton County Republican Party does not plan to forward names of my potential successor to the Benton County Commission until May 6, 2004. My concern is that the people of the 8th Legislative District would be without representation in the Senate during that time period. I would like any vacancy to kept to a minimum. Therefore, to maintain continuity in the office, I am amending my March 18, 2004 letter to change the effective date of my resignation from April 15, 2004 to May 6, 2004.

Again my thanks to you for your kindness to me during the years we have worked together.

Sincerely,
PATRICIA HALE, 8th Legislative District

EDITOR'S NOTE: The following letters of resignation and oaths of office were received during the 2004 Interim:

BENTON COUNTY COUNCIL SIGNATURE REPORT
BENTON COUNTY, WASHINGTON

Motion 04 204

Resolution No. 04 204

In the matter of the appointment of Jerome Delvin as State Senator for District 8

WHEREAS, Senator Patricia Hale resigned her position as State Senator for District 8; and,

WHEREAS, the Board of Benton County Commissioners are required by law to make an appointment to fill the vacated position; and,

WHEREAS, the Republican Party has made a recommendation of three candidates to the Board of Benton County Commissioners to fill the vacated position; and,

WHEREAS, the Board has reviewed all candidates and feels Jerome Delvin would be the best candidate to fill the vacated position; NOW THEREFORE,

BE IT RESOLVED by the Board of Benton County Commissioners that Jerome Delvin is hereby appointed in accordance with the Washington State Constitution, Article 2, Section 15, to serve until the next general election as State Senator for District 8.

BOARD OF COMMISSIONERS
OF BENTON COUNTY, WASHINGTON
BENTON COUNTY

LEO M. BOWEMAN, Chair
CLAUDIA L. OLIVER, Pro Tem
MAX E. BEMITZ, JR., Member

SENATE OATH OF OFFICE
8TH LEGISLATIVE DISTRICT

I, Jerome Delvin, do solemnly swear that I will uphold the Constitution and Laws of the United States of America, the Constitution and Laws of the state of Washington, and the rules of the Washington State Senate, and that I will faithfully perform the duties of State Senator to the best of my ability, so help me God.

JEROME DELVIN
Subscribed and sworn to before me this 12th day of May, 2004.

RICHARD B. SANDERS
SUPREME COURT JUSTICE

LETTER OF RESIGNATION

WASHINGTON STATE SENATE
Senator Shirley Winsley

The Honorable Gary Locke
Governor of the State of Washington
Office of the Governor
P. O. Box 40002
Olympia, WA 98504-0002

Dear Governor Locke:

As my legislative career comes to a close, I wish to thank you for the opportunity to continue to serve the great people of our beautiful state as a member of the Tax Appeals Board.

I am grateful for you confidence in me and look forward to the rewards and challenges of this appointment.

As I will assume my new duties on July 1, I therefore resign my Senate seat effective that same day, July 1, 2004.

Sincerely,
SHIRLEY WINSLEY, 28th Legislative District

PIERCE COUNTY COUNCIL SIGNATURE REPORT
PIERCE COUNTY, WASHINGTON

Resolution No.46

Resolution No. R2004 -90

A Resolution of the Pierce County Council appointing Mike Carrell to the position of Washington State Senator, representing the 28th District.

WHEREAS, The appointment of Shirley Winsley, a Republican, to the Washington State Tax Appeals Board, created a vacancy in the Washington State Senate representing the 28th District; and

WHEREAS, As prescribed by Section 4.70 of the Pierce County Charter, the Pierce County Republican Central Committee has submitted a list of three names of nominees to represent the 28th District in the State Senate; and

WHEREAS, Pursuant to the Washington State Constitution, Article II, Section 15, and the Pierce County Charter, Section 4.70, the County Council shall fill the aforementioned vacancy by appointment from a list of three names submitted by the County Central Committee; and

WHEREAS, The Council has met and interviewed the three nominees,

NOW, THEREFORE BE IT RESOLVED by the Council of Pierce County:

Section 1. Mike Carrell is one of the three individuals named on the list submitted by the Pierce County Republican Central Committee, and is qualified to fill the vacancy in the Washington State Senate, representing the 28th District.

Section 2. Mike Carrell is hereby appointed to the position of Washington State Senator, representing the 28th District.

PIERCE COUNTY COUNCIL
PIERCE COUNTY, Washington
HAROLD MOSS, Council Chair
DENISE D. JOHNSON, Clerk of the Council

OATH OF OFFICE FOR UNEXPIRED TERM
OATH OF SENATOR FOR THE STATE OF WASHINGTON
28TH LEGISLATIVE DISTRICT

I, Mike Carrell, do solemnly swear that I will uphold the Constitution and Laws of the United States of America, the Constitution and Laws of the state of Washington, and the rules of the Washington State Senate, and that I will faithfully perform the duties of State Senator to the best of my ability, so help me God.

MIKE CARRELL
Subscribed and sworn to before me this 7th day of July, 2004.

RICHARD B. SANDERS
SUPREME COURT JUSTICE

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
The Legislature of the State of Washington
Olympia, Washington 98504

I, Sam Reed, Secretary of the State of the state of Washington, do hereby certify that, the following is a full, true, and correct list of persons elected to the office of State Senator at the State General Election held in the State of Washington on the second day of November, 2004, as shown by the official returns of said election now on file in the office of the Secretary of State, together with a list of "holdover" Senators:

SENATORS ELECTED NOVEMBER 2, 2004

DISTRICT	COUNTIES	NAME
No. 01	King, Snohomish	McAuliffe (D)
No. 02	Pierce, Thurston	Rasmussen (D)
No. 03	Spokane	Brown (D)
No. 04	Spokane	McCaslin (R)
No. 05	King	Pflug (R)
No. 06	Spokane	Benson (R)
No. 08	Benton	Delvin (R)
No. 09	Adams, Asotin, Franklin, Garfield, Spokane, Whitman	Schoesler (R)
No. 10	Island, Skagit, Snohomish	
No. 12	Chelan, Douglas, Grant, Okanogan, Yakima	Haugen (D) Parlette (R) Deccio (R)
No. 14	Benton, Columbia, Franklin, Walla Walla	Hewitt (R)
No. 16	Clark	Benton (R)
No. 17	Clark, Cowlitz	Zarelli (R)
No. 18	Cowlitz, Grays Harbor, Pacific, Wahkiakum	Doumit (D)
No. 19	Lewis, Thurston	Swecker (R)
No. 20	Thurston	Fraser (D)
No. 22	Kitsap	Rockefeller (D)
No. 23	Clallam, Grays Harbor, Jefferson	Hargrove (D)
No. 24	Pierce	Kastama (D)
No. 25	Pierce	Regala (D)
No. 27	Pierce	Carrell (R)
No. 28	Snohomish	Berkey (D)
No. 38	King, Skagit, Snohomish, Whatcom	Stevens (R)
No. 39	San Juan, Skagit, Whatcom	Spanel (D)
No. 40	King	Weinstein (D)
No. 41	Clark	Pridemore (D)
No. 49		

SENATE HOLDOVERS AS OF NOVEMBER 2002

DISTRICT	COUNTIES	NAME
No. 07	Ferry, Lincoln, Okanogan, Pend Orielle, Spokane, Stevens	Morton (R)
No. 13	Grant, Kittitas, Yakima	Mulliken (R)
No. 15	Clark, Klickitat, Skamania, Yakima	Honeyford (R)
No. 21	Snohomish	Shin (D)
No. 26	Kitsap, Pierce	Oke (R)
No. 29	Pierce	Franklin (D)
No. 30	King	Eide (D)
No. 31	King, Pierce	Roach (R)
No. 32	King, Snohomish	Fairley (D)
No. 33	King	Keiser (D)
No. 34	King	Poulsen (D)
No. 35	Grays Harbor, Kitsap, Mason, Thurston	Sheldon (D)
No. 36	King	Kohl-Welles (D)
No. 37	King	Kline (D)
No. 42	Whatcom	Brandland (R)
No. 43	King	Thibaudeau (D)
No. 44	Snohomish	Schmidt (R)
No. 45	King	Finkbeiner (R)
No. 46	King	Jacobsen (D)
No. 47	King	Johnson (R)
No. 48	King	Esser (R)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 10th day of January, 2005.

SAM REED, Secretary of State

(Seal)

The Secretary called the roll of the following holdover member of the Senate and all were present: Senators Morton, Mulliken, Honeyford, Shin, Oke Franklin, Eide, Roach, Fairley, Keiser, Poulsen, Sheldon, Kohl-Welles, Kline, Brandland, Thibaudeau, Schmidt, Finkbeiner, Jacobsen, Johnson and Esser.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Johnson and Kline to escort Supreme Court Justice Charles Johnson to the rostrum.

The President welcomed and introduced the Honorable Charles Johnson, Associate Chief Justice of the Supreme Court of the state of Washington, who was present to administer the oaths of office to the newly re-elected Senators and newly elected Senators.

The secretary called the roll of the following newly re-elected members of the Senate and all were present: Senators Don Benton, Lisa Brown, Alex Deccio, Mark Doumit, Karen Fraser, Jim Hargrove, Mary Margaret Haugen, Mike Hewitt, Jim Kastama, Rosemary McAuliffe, Bob McCaslin, Linda Evans Parlette, Margarita Prentice, Marilyn Rasmussen, Debbie Regala, Harriet Spanel, Val Stevens Dan Swecker and Joseph Zarelli.

The President recognized Secretary of State, Sam Reed who was present at the rostrum and congratulated him on his 64th birthday on June 10.

The acting Sergeant at Arms escorted each of the newly re-elected members of the Senate to the rostrum of the Senate to receive the oath of office.

Associate Chief Justice Charles Johnson thereupon administered the oath of office to each of the newly re-elected members.

The President presented each of the newly re-elected Senators a certificate of election.

The acting Sergeant at Arms escorted each of the newly re-elected members to their seats in the Senate Chamber.

The secretary called the roll of the following newly elected members of the Senate and all were present: Senators Brad Benson, Jean Berkey, Mike Carrell, Jerome Delvin, Cheryl Pflug, Craig Pridemore, Phil Rockefeller, Mark Schoesler, Brian Weinstein.

The acting Sergeant at Arms escorting each of the newly elected members of the Senate to the bar of the Senate to receive the oath of office.

Justice Charles Johnson thereupon administered the oath of office to each of the newly elected members.

The President presented each of the newly elected Senators a certificate of election.

The acting Sergeant at Arms escorted each of the newly elected members to their seats in the Senate Chamber.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Korean Consulate of Korea in Seattle, Consul General Jae Gook Kim and Deputy Consul Moon Chang Boo who were seated in the gallery.

ELECTION OF PRESIDENT PRO TEMPORE

The President declared nominations to be open for the office of President Pro Tempore of the Senate.

REMARKS BY SENATOR HARGROVE

Senator Hargrove: "Thank you, Mr. President. I would like to nominate Senator Rosa Franklin for the office of President Pro Tempore. First of all I'd like to say we're very lucky to have you as our Lt. Governor to be our President. You make us look very good even when you have some unruly Senators out here of which I'm one some of the time. The reason I'm nomination Senator Franklin I believe she will make us look good also. I believe she will do an excellent job in your absence to preside over the Senate. I was thinking of some words that describe Senator Franklin. She's gentle, she's compassionate, she's definitely fair, yet I don't think you ought to not think that she's alert and strong when she needs to be. I think all of these components along with the grace she both handles her job as a Senator and in past has done this leadership position, presided over the Senate. I think all makes a great combination to make us all look very good. We know that with television now and TVW that the public is frequently watching us. They want to know that the government is carried out in a way that is working correctly and things are getting done correctly and everything is going in order. And I can't think of a better person to do. We've seen Rosa give very emotional speeches, very sincere speeches and you know she always tells you what's coming from her heart and that she will always do the best and most honest and fair job to represent all of us no matter what side of the aisle we're on. I served with Rosa in the House and she followed me over to the Senate and I guess most of all I'm grateful to call her my friend and we're very grateful to be able to nominate her for President Pro Tempore."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Thank you, Mr. President. Well I'm very honored and privileged to second the nomination of Senator Franklin. Senator Franklin is my colleague and believe it or not I'm her mentor. I was her mentor in the House and her mentor in the Senate but you can't find a more gracious, beautiful lady than Senator Franklin. Yes she is fair and she is kind but the dignity and the kindness that she emulates will make us all look good. But one of the things that we have found when she was our President

Pro Tempore was that she had a faster gavel than you, Mr. President. She was very sharp and she knew how to control us almost as well as you do, but she's fast. I'm very, very honored to be able to second the nomination for my friend, my neighbor Senator Franklin."

MOTION

On motion of Senator Eide, the nominations for the office of President Pro Tempore were closed.

ROLL CALL

The Secretary called the roll and Senator Rosa Franklin was elected President Pro Tempore: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Benson, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau and Weinstein - 47.

Absent: Senators Benton and Zarelli - 2.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Esser and Regala to escort Senator Rosa Franklin to the rostrum.

Associate Chief Justice Charles Johnson thereupon administered the oath of office to Senator Franklin.

The President introduced the President Pro Tempore of the Washington State Senate, Senator Rosa Franklin

REMARKS BY PRESIDENT PRO TEMPORE FRANKLIN

Senator Franklin: "To the Lt. Governor, my colleagues, ladies and gentlemen, this is indeed, it's an overwhelming moment in time-- one in which we sit and begin to do the public's business and to be able to preside when the Lt. Governor is not here. It's an awesome time, it's a time that we have many challenges. We will face them and as the confidence in which you have placed in me to be able to carry out these duties, I thank you. We will do our best, I will do my best and I will not let you down. Thank you."

ELECTION OF VICE PRESIDENT PRO TEMPORE

The President declared nominations to be open for the office of Vice President Pro Tempore of the Senate.

REMARKS BY SENATOR JACOBSEN

Senator Jacobsen: "Thank you. Senator Shin has so many distinguished milestones in his life. This is one more and he's fulfilled this duty ably. I've had the pleasure to sit next to Paul for several and amazed to discover what an amazing individual he is. He first encountered the Americans when he was a shoe shine in an American military outfit in Korea in the Korean war, when he was first Korean-American to be adopted by an American family. He came to the United States, and as I understand it he couldn't read or write in English or Korean. He was illiterate and he taught himself how to do all that and he ended up getting a PhD in history and teaching at Shoreline Community College. Now, he's getting some of the recognition he deserves. 1903-2003 they celebrated one hundred years of Korean immigration to the United States and they picked ten outstanding immigrants and Paul Shin was one of those ten. Now he sits in the Washington State Senate, he's going to shortly be elected Vice President Pro Tempore. The other thing I want to share one more thing with what happened last year, I guess in Korea every year they celebrate an outstanding emigree and last year there was one week where they honored Paull Shin in Korea. He's a very distinguished person, his

name resonates throughout East Asia. He is tireless on working on trade delegations, and building contacts between here and there. I think he fills this office very ably and I ask you to vote for Senator Paull Shin. Thank you

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Thank you Mr. President. Well, I too am very, very honored to place in nomination, Senator Paull Shin for Vice President Pro Tempore. Senator Shin and I have been friends for many, many years, in fact he's taking me numerous times to his home in South Korea. I watched where he grew up, in the train station in Seoul, Korea followed; his journey until he came to the United States; read his book that he wrote and I hope he will present a book to all of us about stealing an education in Korea. Its absolutely heart warming. But the job of Vice President Pro Tempore is one that demands the dignity, the integrity, the honesty to watch over all of us when Senator Franklin is not available to take your place, Mr. President and I can't think of a better person amongst all of us than Senator Shin. Senator Shin is a delightful man, a great colleague and we are very honored to have him here in the Legislature with us and for many, many reasons I am so pleased to be able to make the second for his nomination for Vice President. He will be a wonderful example for all of us and help lead us in our journey and our challenges. Thank you."

MOTION

On motion of Senator Eide, the nominations for office of Vice President Pro Tempore were closed.

ROLL CALL

The Secretary called the roll and Senator Paull Shin was elected Vice President Pro Tempore: Yeas, 44; Nays, 0; Absent, 5; Excused, 0.

Voting yea: Senators Benson, Berkey, Brandland, Brown, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau and Weinstein - 44.

Absent: Senators Benton, Carrell, Doumit, Poulsen and Zarelli - 5.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Berkey and Schmidt to escort Senator Paull Shin to the rostrum.

Associate Chief Justice Charles Johnson thereupon administered the oath of office to Senator Shin.

The President introduced the Vice President Pro Tempore of the Washington State Senate, Senator Paull Shin

REMARKS BY VICE PRESIDENT PRO TEMPORE SHIN

Senator Shin: "Mr. President and my colleagues in the Senate, ladies and gentlemen in the gallery. I don't know how to thank you from my heart for the trust and confidence you placed in me to serve you. I remember our founding father, Benjamin Franklin was asked "Persons grateful, persons when realizing their blessing, serve by the community and I've been blessed much in this country. It's time for me to pay back and I'm honored to serve in the Senate and to serve you together to make our best of Washington States. According to American Poet Longfellow, 'life is real, life is honest but time is fleeting.'" We have a lot of work to do, I will join in your hand, I hope you join me to make a best of State of Washington to the United States. Thank you very much."

ELECTION OF SECRETARY OF THE SENATE

The President declared nominations to be open for the office of Secretary of the Senate Thomas Hoemann.

REMARKS BY SENATOR BROWN

Senator Brown: "Mr. President, it is my honor to place the name for nomination for the office of Secretary of Senate, Mr. Tom Hoemann. Thank you Mr. President. Well, ladies and gentlemen, where were you in 1979. And this is a rhetorical question, Senator McCaslin you don't have to answer it. Tom Hoemann was coming to work for us in the Senate. He joined us as Staff Counsel for the Senate Judiciary Committee and eventually rose to director to that committee. He took a couple of years off to work on behalf of his profession. Yes, he is, in fact, an attorney. In this position, we don't hold that against him, in fact we appreciate his counsel. Tom Hoemann is prepared in many ways, this is a collenation of his career in the Senate, and a job that he is well prepared and has been looking forward to. If I were to describe him in terms of his service to us in the Senate. I would say he is faithful, responsible, he serves with loyalty and integrity. Now, if I'm making him sound just a little too good, then let me say, he is prone to exaggeration on one topic and that is the results of his fishing exploits. Tom, above all has respect, if not reverence, for this institution and he will bring those skills and those values to the administration of the Senate. He also has institutional memory that rivals most of us here today. Finally and perhaps most importantly, he not only works hard but he cares about what we're doing. I'm also pleased that he's not just devoted to the Senate but also to his wife of many years Lee who is with him here today and it is my pleasure to put forward with no reservation his name as Secretary of the Senate."

REMARKS BY SENATOR MCCASLIN

Senator McCaslin: "Thank you Mr. President. I concur with everything Senator Brown has said except not holding it against him for being an attorney. I mean I think that's a given. Anyway I arrived her in the 1981 and I met Tom, he was on the Judiciary Committee but I can assure, especially all the new Senators rather your Republican or Democrat, Tom's the guy to go to answer questions because he's been here longer than me, knows more than I do, he's an attorney but I can assure anyone that goes to you'll get a straight forward answer and if he doesn't know the answer, which he probably does, he'll get the answer so I don't think, congratulations to the leadership and to the caucus for nominating him because he'll be received as well as any Secretary I've ever seen, from Snyder on down to Milt. There all good and he'll be just as good perhaps better and it's a real pleasure to second his nomination."

MOTION

On motion of Senator Eide, the nominations for the office of Secretary of the Senate were closed.

ROLL CALL

The Secretary called the roll and Thomas Hoemann was elected Secretary of the Senate: Yeas, 42; Nays, 0; Absent, 7; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Deccio, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Oke, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau and Weinstein - 42.

Absent: Senators Benson, Delvin, Doumit, Hargrove, Mulliken, Poulsen and Zarelli - 7.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Spanel and Honeyford to escort Thomas Hoemann to the rostrum.

Justice Charles Johnson thereupon administered the oath of office to Thomas Hoemann.

The President introduced the Secretary of the Senate Thomas Hoemann

REMARKS BY SECRETARY OF THE SENATE THOMAS HOEMANN

Thomas Hoemann: "Thank you Mr. President and members. Thank you for entrusting to me this position. I have had the privilege almost every day of my professional career to come to work in these buildings. It's been my good fortune to know very well my predecessors in this position and to observe, first hand, the fairness and integrity with which they sought to serve this institution and all the members. So my goal is to try to meet those high standards that they set in serving the members of the Senate and staff and thereby helping you serve the citizens of the State of Washington."

ELECTION OF SERGEANT AT ARMS

The President declared nominations to be open for the office of Sergeant at Arms.

REMARKS BY SENATOR KASTAMA

Senator Kastama: "Mr. President, I nominate Jim Ruble for the Office of Sergeant at Arms. Thank you Mr. President. I've know Jim actually thirty years. He's a true Washingtonian. He was born in Edison Washington, he attended Pacific Lutheran University and then he taught for thirty years in my home town of Puyallup. His area of speciality was actually Washington State history and Government so what I know I learned from him. Also, he intensively researches Washington State History as a hobby. I have to explain he was also, not only a teacher of mine in Junior High but he was also my football coach. So whenever I get an ache in my knee and my back or arthritic pains in my hands I think of him, fondly so. I would like to also say, he's worked for five years and his mentor was our friend Gene Gotovac and that was his mentor and was one thing that Gene always tried to instill in Jim was to uphold the protocol and the dignity of the Senate. On many occasions Jim has actually shared with me how it is an honor to be here. In fact the Legislature makes the history he is so interested in for Washington State. So its my honor to nominate him today, also his wife Barbara is here and his daughter, Amy. So with that Mr. President, I ask people to vote for him."

REMARKS BY SENATOR BRANDLAND

Senator Brandland: "Thank you Mr. President. It is my honor and privilege to second the nomination of Jim Ruble to be the Senate Sergeant at Arms. As Senator Kastama has stated Jim has been with this body for five years now and I believe he's proven himself to be someone that can make us all proud. He's got a very easy style, he's got a very good sense of humor and he treats people with respect-whether they are members of this body or whether there the general public. It really, you know I'm one of the new people to this body and when I first got here we were in temporarily quarters and I don't think you can ask a more difficult position to put our Sergeant at Arms and their personnel than having to deal with the problems that we had with the temporary quarters and the cramped spaces that we had. It is a job that at times requires somebody, that person to be tough, they need to be fair, they need to be stern but most of all they need to be able to treat people with respect. I've watched Jim do that for the past two years and I'm sure that he'll continue to do that for us as we proceed, so it's my honor and privilege to second the nomination."

MOTION

On motion of Senator Eide, the nominations for the office of Sergeant at Arms of the Senate were closed.

ROLL CALL

The Secretary called the roll and Jim Ruble was elected Sergeant at Arms of the Senate: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48.

Absent: Senator Shin - 1.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Franklin and Pflug to escort Jim Ruble to the rostrum.

Justice Charles Johnson thereupon administered the oath of office to Jim Ruble.

The President introduced the Sergeant at Arms of the Senate Jim Ruble

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Esser and Poulsen to escort the Honorable Charles Johnson from the Senate Chamber.

The President of the Senate thanked Associate Chief Justice Charles Johnson.

PERSONAL PRIVILEGE

Senator Deccio: "Mr. President, I think it's time that you instruct Senator Brandland that he no longer refer to himself as a new kid on the block. His hair is grayer now than it was when he got here. Its time to realize that he's now a veteran."

REMARKS BY THE PRESIDENT

President Owen: "Senator Deccio, members have all sorts of ways of referring to themselves and sometimes they choose ways to make them feel better because of the way other refer to them. Senator Brandland, you've been here awhile."

MOTION

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

MOTION

Senator Eide moved adoption of the following resolution:

SENATE RESOLUTION 8600

By Senators Brown and Esser

BE IT RESOLVED, That a committee of eight be appointed to notify the House of Representatives that the Senate is now organized and ready to transact business.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8600.

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

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with Senate Resolution No. 8600, the President appointed Senators Benson, Berkey, Carrell, Delvin, Pridemore, Rockefeller, Schoesler and Weinstein to notify the House of Representatives that the Senate is organized and ready to conduct business.

MOTION

On motion of Senator Eide, the appointments were confirmed.

The Sergeant at Arms announced the delegation from the House of Representatives and escorted the delegation to the bar of the Senate.

COMMITTEE FROM THE HOUSE

A committee from the House of Representatives consisting of Representatives Clibborn, Haler, Hasegawa and Skinner appeared before the bar of the Senate and notified the Senate that the House is organized and ready to conduct business.

The President received the report of the committee and the committee returned to the House of Representatives.

MOTION

Senator Eide moved adoption of the following resolution:

SENATE RESOLUTION 8601

By Senators Brown and Spanel

BE IT RESOLVED, That the Rules of the Senate for the 2003 Regular Session of the 58th Legislature, as amended in the 2004 Regular Session, be adopted as amended as the Rules for the 2005 Regular Session of the 59th Legislature, to read as follows:

PERMANENT RULES OF THE SENATE (~~FIFTY-EIGHTH~~) FIFTY-NINTH LEGISLATURE (~~2003~~) 2005

SECTION I - OFFICERS-MEMBERS-EMPLOYEES

- Rule 1** Duties of the President
- Rule 2** President Pro Tempore
- Rule 3** Secretary of the Senate
- Rule 4** Sergeant at Arms
- Rule 5** Subordinate Officers
- Rule 6** Employees
- Rule 7** Conduct of Members and Officers

SECTION II - OPERATIONS AND MANAGEMENT

- Rule 8** Payment of Expenses- Facilities and Operations
- Rule 9** Use of Senate Chambers
- Rule 10** Admission to the Senate
- Rule 11** Printing of Bills
- Rule 12** Furnishing Full File of Bills
- Rule 13** Regulation of Lobbyists
- Rule 14** Security Management

SECTION III - RULES AND ORDER

- Rule 15** Time of Convening
- Rule 16** Quorum
- Rule 17** Order of Business
- Rule 18** Special Order
- Rule 19** Unfinished Business
- Rule 20** Motions and Senate Floor Resolutions (How Presented)
- Rule 21** Precedence of Motions
- Rule 22** Voting
- Rule 23** Announcement of Vote
- Rule 24** Call of the Senate
- Rule 25** One Subject in a Bill
- Rule 26** No Amendment by Mere Reference to Title of Act
- Rule 27** Reading of Papers
- Rule 28** Comparing Enrolled and Engrossed Bills

SECTION IV - PARLIAMENTARY PROCEDURE

- Rule 29** Rules of Debate
- Rule 30** Recognition by the President
- Rule 31** Call for Division of a Question
- Rule 32** Point of Order- Decision Appealable
- Rule 33** Question of Privilege
- Rule 34** Protests
- Rule 35** Suspension of Rules
- Rule 36** Previous Question
- Rule 37** Reconsideration
- Rule 38** Motion to adjourn
- Rule 39** Yeas and Nays- When Must be Taken

Rule 40 Reed's Parliamentary Rules

a quorum be present, shall cause the journal of the preceding day to be read. (See also Art. 3, Sec. 16, State Constitution.)

SECTION V - COMMITTEES

Rule 41 Committees- Appointment and Confirmation

Rule 42 Subcommittees

Rule 43 Subpoena Power

Rule 44 Duties of Committees

Rule 45 Committee Rules

Rule 46 Committee Meetings During Sessions

Rule 47 Reading of Reports

Rule 48 Recalling Bills from Committees

Rule 49 Bills Referred to Rules Committee

Rule 50 Rules Committee

Rule 51 Employment Committee

Rule 52 Committee of the Whole

Rule 53 Appropriation Budget Bills

2. The president shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, legislative area, legislative offices or buildings, and legislative hearing and meeting rooms, shall order the sergeant at arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. The use of cellular or digital telephones is prohibited within the senate chamber during floor session and within a hearing room during a committee hearing, and this prohibition shall be enforced in the same manner as any other breach of order and decorum.

3. The president shall have charge of and see that all officers and employees perform their respective duties, and shall have general control of the senate chamber and wings. (See also Art. 2, Sec. 10, State Constitution.)

4. The president may speak to points of order in preference to members, arising from the president's seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate.

5. The president shall, in open session, sign all acts, addresses and joint resolutions. The president shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. (See also Art. 2, Sec. 32, State Constitution.)

6. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate. In the event the senate refuses to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

7. The president shall, on each day, announce to the senate the business in order, and no business shall be taken up or considered until the order to which it belongs shall be declared.

8. The president shall decide and announce the result of any vote taken.

9. When a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions other than the final passage of a bill. (See also Art. 2, Sec. 10 and 22, State Constitution.)

SECTION VI - BILLS, RESOLUTIONS, MEMORIALS AND GUBERNATORIAL APPOINTMENTS

Rule 54 Definitions

Rule 55 Prefiling

Rule 56 Introduction of Bills

Rule 57 Amendatory Bills

Rule 58 Joint Resolutions and Memorials

Rule 59 Senate Concurrent Resolutions

Rule 60 Committee Bills

Rule 61 Committee Reference

Rule 62 Reading of Bills

Rule 63 First Reading

Rule 64 Second Reading/Amendments

Rule 65 Third Reading

Rule 66 Scope and Object of Bill Not to be Changed

Rule 67 Matter Related to Disagreement Between the Senate and House

Rule 68 Bills Committed for Special Amendment

Rule 69 Confirmation of Gubernatorial Appointees

SECTION I

OFFICERS-MEMBERS-EMPLOYEES

Duties of the President

Rule 1. 1. The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if

President Pro Tempore

Rule 2. 1. Upon the organization of the senate the members shall elect one of their number as president pro tempore who shall have all the powers and authority and who shall discharge all the duties of lieutenant governor acting as president during the lieutenant governor's absence. The senate shall also elect a vice-president pro tempore who will serve in the absence of the lieutenant governor and the president pro tempore. (See Art. 2, Sec. 10, State Constitution.)

2. In the absence of the president pro tempore, and vice president pro tempore, or with their consent, the president shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents requiring the signature of the president.

Secretary of the Senate

Rule 3. 1. The senate shall elect a secretary, who shall appoint a deputy secretary, both of whom shall be officers of the senate and shall perform the usual duties pertaining to their offices, and they shall hold office until their successors have been elected or appointed.

2. The secretary is the Personnel Officer of the senate and shall appoint, subject to the approval of the senate, all other senate employees and the hours of duty and assignments of all senate employees shall be under the secretary's directions and instructions and they may be dismissed at the secretary's discretion.

3. The secretary of the senate, prior to the convening of the next regular session, shall prepare his office to receive bills which the holdover members and members-elect may desire to prefile commencing with the first Monday in December preceding any regular session or twenty days prior to any special session of the legislature.

Sergeant at Arms

Rule 4. 1. The senate shall elect a sergeant at arms who shall perform the usual duties pertaining to that office, and shall hold office until a successor has been elected.

2. The sergeant at arms shall not admit to the floor of the senate during the time the senate is not convened any person other than specifically requested by a senator, the president, or the secretary of the senate, in writing or when personally accompanied by a senator.

Subordinate Officers

Rule 5. The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services. (See also Art. 2, Sec. 25, State Constitution.)

Employees

Rule 6. 1. No senate employee shall lobby in favor of or against any matter under consideration.

2. Senate employees are governed by joint rules and chapters 42.17 (the Public Disclosure Act) and 42.52 RCW (the Ethics in Public Service Act).

Conduct of Members and Officers

Rule 7. 1. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time. The use of cellular or digital telephones is prohibited within the senate chamber during floor session and within a hearing room during a committee hearing.

2. In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling the senator to order shall report the language excepted to which shall be taken down or noted at the secretary's desk. No member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

3. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call that senator to order, and a senator so called to order shall resume the senator's seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that the senator be allowed to proceed in order," when, if carried, the senator shall speak to the question under consideration.

4. No senator shall be absent from the senate without leave, except in case of accident or sickness, and if any senator or officer shall be absent the senator's per diem shall not be allowed or paid, and no senator or officer shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

5. In the event of a motion or resolution to censure or punish, or any procedural motion thereto involving a senator, that senator shall not vote thereon. The senator shall be allowed to answer to such motion or resolution. An election or vote by the senate on a motion to censure or punish a senator shall require the vote of a majority of all senators elected or appointed to the senate. A vote to expel a member shall require a two-thirds concurrence of all members elected or appointed to the senate. All votes shall be taken by yeas and nays and the votes shall be entered upon the journal. (See also Art. 2, Sec. 9, State Constitution.)

SECTION II

OPERATIONS AND MANAGEMENT

Payment of Expenses - Facilities and Operations

Rule 8. 1. After the reorganization caucuses of the Senate, the majority caucus shall designate four members and the minority caucus shall designate three members to serve on the Facilities and Operations Committee. The chair of the majority caucus shall be the chair of the Facilities and Operations Committee. The operation of the Senate shall transfer to the newly designated members after the reorganization caucuses of the Senate.

2. All necessary expenses of the senate incurred during the session shall be signed for by the secretary and approved by a majority of the committee on facilities and operations. The committee on facilities and operations shall carefully consider all items of expenditure ordered or contracted on the part of the senate, and report upon the same prior to the voucher being signed by the secretary of the senate authorizing the payment thereof. The committee on facilities and operations shall issue postage only as follows:

(a) To elected or appointed members of the senate in an amount sufficient to allow performance of their legislative duties.

(b) To the secretary of the senate in an amount sufficient to carry out the business of the senate.

Use of Senate Chambers

Rule 9. The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate while in session, or by the facilities and operations committee when not in session.

Admission to the Senate

Rule 10. The sergeant at arms shall admit only the following individuals to the floor and adjacent areas of the senate for the period of time beginning one-half hour before convening and ending when the senate has adjourned or recessed for an hour or more:

The governor and/or designees,
Members of the house of representatives,
State elected officials,
Officers and authorized employees of the legislature,
Honored guests being presented to the senate,
Former members of the senate who are not registered lobbyists pursuant to chapter 42.17 RCW,
Representatives of the press,
Persons specifically requested by a senator to the president in writing or only as long as accompanied by a senator.

Printing of Bills

Rule 11. The number of bills printed and reprinted shall be at the discretion of the secretary of the senate, with the approval of the facilities and operations committee.

Furnishing Full File of Bills

Rule 12. Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate. The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the secretary of the senate. The secretary of the senate is authorized to recoup costs.

Regulation of Lobbyists

Rule 13. All persons who engage in lobbying of any kind as defined in chapter 42.17 RCW shall be subject to the rules of the senate and legislature when lobbying before the senate. Any person who fails to conform to the senate or joint rules may have their privilege to lobby and all other privileges revoked upon a majority vote of the committee on rules for such time as is deemed appropriate by the committee.

Any person registered as a lobbyist pursuant to chapter 42.17 RCW who intervenes in or attempts to influence any personnel decision of the senate regarding any employee may suffer an immediate revocation of all privileges before the senate or such other privileges and for such time as may be deemed appropriate by the senate committee on rules. This restriction shall not prohibit a registered lobbyist from making written recommendations for staff positions.

Security Management

Rule 14. The sergeant at arms may develop methods to protect the Senate, including its members, staff, and the visiting public, by establishing procedures to curtail the use or possession of any weapon in a manner that is prohibited by law or by the rules of the Department of General Administration.

SECTION III

RULES AND ORDER

Time of Convening

Rule 15. The senate shall convene at 10:00 a.m. each working day, unless adjourned to a different hour. The senate shall adjourn not later than 10:00 p.m. of each working day. The senate shall recess ninety minutes for lunch each working day. When reconvening on the same day the senate shall recess ninety minutes for dinner each working evening. This rule may be suspended by a majority.

Quorum

Rule 16. A majority of all members elected or appointed to the senate shall be necessary to constitute a quorum to do business. Less than a quorum may adjourn from day to day until a quorum can be had. (See Art. 2, Sec. 8, State Constitution.)

Order of Business

Rule 17. After the roll is called and journal read and approved, business shall be disposed of in the following order:

- FIRST. Reports of standing committees.
- SECOND. Reports of select committees.
- THIRD. Messages from the governor and other state officers.
- FOURTH. Messages from the house of representatives.
- FIFTH. Introduction, first reading and reference of bills, joint memorials, joint resolutions and concurrent resolutions.
- SIXTH. Second reading of bills.
- SEVENTH. Third reading of bills.
- EIGHTH. Presentation of petitions, memorials and floor resolutions.
- NINTH. Presentation of motions.

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present.

All questions relating to the priority of business shall be decided without debate.

Messages from the governor, other state officers, and from the house of representatives may be considered at any time with the consent of the senate.

Special Order

Rule 18. The president shall call the senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote of the members present, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business, except that if a cutoff established by concurrent resolution occurs during the special order, the senate may complete the measure that was before the senate when consideration of the special order was commenced.

Unfinished Business

Rule 19. The unfinished business at the preceding adjournment shall have preference over all other matters,

excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

**Motions and Senate Floor Resolutions
(How Presented)**

Rule 20. 1. No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

2. The Senate shall consider no more than one floor resolution per day in session: Provided, That this rule shall not apply to floor resolutions essential to the operation of the Senate; and further Provided, That there shall be no limit on the number of floor resolutions considered on Senate pro forma session days. Senate floor resolutions shall be acted upon in the same manner as motions. All senate floor resolutions shall be on the secretary's desk at least twenty-four hours prior to consideration. Members' names shall only be added to the resolution if the member signs the resolution. Members shall have until thirty minutes after the senate is convened the following day the senate is in a regular or pro forma session to add their names to the floor resolution. A motion may be made to close the period for signatures at an earlier time.

Precedence of Motions

Rule 21. When a motion has been made and stated by the chair the following motions are in order, in the rank named:

PRIVILEGED MOTIONS

- Adjourn ((or))₂ recess, or go at ease
- Reconsider
- Demand for call of the senate
- Demand for roll call
- Demand for division
- Question of privilege
- Orders of the day

INCIDENTAL MOTIONS

- Points of order and appeal
- Method of consideration
- Suspend the rules
- Reading papers
- Withdraw a motion
- Division of a question

SUBSIDIARY MOTIONS

- 1st Rank: To lay on the table
- 2nd Rank: For the previous question
- 3rd Rank: To postpone to a day certain
- To commit or recommit
- To postpone indefinitely
- 4th Rank: To amend

No motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

At no time shall the senate entertain a Question of Consideration.

Voting

Rule 22. 1. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he or she is in any way personally or directly interested, nor be allowed to explain a vote or discuss the question while the yeas and nays are being called, nor change a vote after the result has been announced. (See also Art. 2, Secs. 27 and 30, State Constitution.)

2. A member not voting by reason of personal or direct interest, or by reason of an excused absence, may explain the reason for not voting by a brief statement not to exceed fifty words in the journal.

3. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Rule 24.)

4. A senator having been absent during roll call may ask to have his or her name called. Such a request must be made before the result of the roll call has been announced by the president.

5. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions other than the final passage of a bill. (See also Art. 2, Secs. 10 and 22, State Constitution.)

6. The order of the names on the roll call shall be alphabetical by last name.

7. All votes in a committee shall be recorded, and the record shall be preserved as prescribed by the secretary of the senate. One-sixth of the committee may demand an oral roll call.

8. If a member of the majority is going to be absent due to a health matter or other emergency, then a member of the minority may publicly announce on the floor of the senate that he or she will cast votes as he or she believes the absent member would have voted in order to avoid results that would only occur because of the unanticipated absence.

Announcement of Vote

Rule 23. The announcement of all votes shall be made by the president.

Call of the Senate

Rule 24. Although a roll call is in progress, a call of the senate may be moved by three senators, and if carried by a majority of all present the secretary shall call the roll, after which the names of the absentees shall again be called. The doors shall then be locked and the sergeant at arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

One Subject in a Bill

Rule 25. No bill shall embrace more than one subject and that shall be expressed in the title. (See also Art. 2, Sec. 19, State Constitution.)

No Amendment by Mere Reference to Title of Act

Rule 26. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length. (See also Art. 2, Sec. 37, State Constitution.)

Reading of Papers

Rule 27. When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

Any and all copies of reproductions of newspaper or magazine editorials, articles or cartoons or publications or material of any nature distributed to senators' desks must bear the name of at least one senator granting permission for the distribution. This shall not apply to materials normally distributed by the secretary of the senate or the majority or minority caucuses.

Comparing Enrolled and Engrossed Bills

Rule 28. Any senator shall have the right to compare an enrolled bill with the engrossed bill and may note any objections in the Journal.

SECTION IV

PARLIAMENTARY PROCEDURE

Rules of Debate

Rule 29. When any senator is about to speak in debate, or submit any matter to the senate, the senator shall rise, and standing in place, respectfully address the President, and when recognized shall, in a courteous manner, speak to the question under debate, avoiding personalities; provided that a senator may refer to another member using the title "Senator" and the surname of the other member. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question. A majority of the members present may further limit the number of times a member may speak on any question and may limit the length of time a member may speak but, unless a demand for the previous question has been sustained, a member shall not be denied the right to speak at least once on each question, nor shall a member be limited to less than three minutes on each question. In any event, the senator who presents the motion may open and close debate on the question.

Recognition by the President

Rule 30. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

Call for Division of a Question

Rule 31. Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

Point of Order - Decision Appealable

Rule 32. Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the (~~chair~~) president stand as the judgment of the senate?"

Question of Privilege

Rule 33. Any senator may rise to a question of privilege and explain a personal matter by leave of the president, but shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries. The president upon notice received may acknowledge the presence of any distinguished person or persons.

A question of privilege shall involve only subject matter which affects the particular senator personally and in a manner unique and peculiar to that senator.

Protests

Rule 34. Any senator or senators may protest against the action of the senate upon any question. Such protest may be entered upon the journal if it does not exceed 200 words. The senator protesting shall file the protest with the secretary of the senate within 48 hours following the action protested.

Adoption and Suspension of Rules

Rule 35. 1. The permanent senate rules adopted at the first regular session during a legislative biennium shall govern any session subsequently convened during the same legislative biennium. Adoption of permanent rules may be by majority of the senate without notice and a majority of the senate may change a permanent rule without notice at the beginning of any session, as determined pursuant to Article 2, Section 12 of the State Constitution. No permanent rule or order of the senate shall be rescinded or changed without a majority vote of the members, and one day's notice of the motion.

2. A permanent rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present unless otherwise specified herein. When the suspension of a rule is called, and after due notice from the president no objection is offered, the president may announce the rule suspended, and the senate may proceed accordingly. Motion for suspension of the rules shall not be debatable, except, the mover of the motion may briefly explain the purpose of the motion and at the discretion of the president a rebuttal may be allowed.

Previous Question

Rule 36. The previous question shall not be put unless demanded by three senators, and it shall then be in this form:

"Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, except the senator who presents the motion may open and close debate on the question and the vote shall be immediately taken on the question or questions pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

The appointment of the conference, special, joint and standing committees shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

Reconsideration

Rule 37. 1. After the final vote on any measure, before the adjournment of that day's session, any member who voted with the prevailing side may give notice of reconsideration unless a motion to immediately transmit the measure to the house has been decided in the affirmative (~~and the measure is no longer in possession of the senate~~). Such motion to reconsider shall be in order only under the order of motions of the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

2. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the tenth day prior to adjournment sine die of any session, as determined pursuant to Article 2, Section 12, or concurrent resolution, or in the event that the measure is subject to a senate rule or resolution or a joint rule or concurrent resolution, which would preclude consideration on the next day of sitting a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

Motion to Adjourn

Rule 38. Except when under call of the senate, a motion to adjourn shall always be in order. The name of the senator moving to adjourn and the time when the motion was made shall be entered upon the journal.

Yeas and Nays - When Must be Taken

Rule 39. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rules 22 and 24.)

Reed's Parliamentary Rules

Rule 40. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

SECTION V

COMMITTEES

Committees - Appointment and Confirmation

Rule 41. The president shall appoint all conference, special, joint and standing committees on the part of the senate.

~~((1. Agriculture 5
2. Children and Family Services and Corrections 7
3. Commerce and Trade 5
4. Economic Development 7
5. Education 8
6. Financial Services, Insurance and Housing 7
7. Government Operations and Elections 7
8. Health and Long-Term Care 7
9. Higher Education 7
10. Highways and Transportation 12
11. Judiciary 9
12. Land Use and Planning 5
13. Natural Resources, Energy and Water 9
14. Parks, Fish and Wildlife 9
15. Rules 18
16. Technology and Communications 7
17. Ways and Means 17))~~

1. Agricultural and Rural Economic Development 7
2. Early Learning, K-12 and Higher Education 16
3. Financial Institutions, Housing and Consumer Protection 10
4. Government Operations and Elections 10
5. Health and Long-Term Care 11
6. Human Services and Corrections 7
7. International Trade and Economic Development 7
8. Judiciary 9
9. Labor, Commerce, Research and Development 9
10. Natural Resources, Ocean and Recreation 9
11. Rules 18
12. Transportation 12
13. Water, Energy and Environment 9
14. Ways and Means 17

Subcommittees

Rule 42. Committee chairs may create subcommittees of the standing committee and designate subcommittee chairs thereof to study subjects within the jurisdiction of the standing committee. The committee chair shall approve the use of committee staff and equipment assigned to the subcommittee. Subcommittee activities shall further be subject to facilities and operations committee approval to the same extent as are the actions of the standing committee from which they derive their authority.

Subpoena Power

Rule 43. Any of the above referenced committees, including subcommittees thereof, or any special committees created by the senate, may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. The committee chair shall file with the committee on rules, prior to issuance of any process, a statement of purpose setting forth the name or names of those subject to process. The rules committee shall consider every proposed issuance of process at a meeting of the rules committee immediately following the filing of the statement with the committee. The process shall not be issued prior to consideration by the rules committee. The process shall be limited to the named individuals and the committee on rules may overrule the service on an individual so named.

Duties of Committees

Rule 44. The several committees shall fully consider measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state: PROVIDED, That no executive action on bills may be taken during an interim.

Committee Rules

Rule 45. 1. At least five days notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.

3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.

4. A majority of any committee shall constitute a quorum. Committees shall be considered to have a quorum present

unless the question is raised. No committee shall transact official business absent a quorum except to conduct a hearing.

5. Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form; shall carry one, or more as appropriate, of the following recommendations, shall be adopted at a regularly or specially called meeting during a legislative session and shall be signed by a majority of the committee:

- a. Do pass.
- b. Do pass as amended.
- c. That a substitute bill be substituted therefor, and the substitute bill do pass.
- d. That the bill be referred to another committee.
- e. Without recommendation.

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 3 of this rule, a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report.

7. Any measure which does not receive a majority vote of the members present may be reconsidered at that meeting and may again be considered upon motion of any committee member if one day's notice of said motion is provided to all committee members.

8. Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation which shall be signed by those members of the committee subscribing thereto.

9. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules places the original bill on the second reading calendar.

10. No vote in any committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

11. All reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session.

Committee Meetings During Sessions

Rule 46. No committee shall sit during the daily session of the senate unless by special leave. No committee shall sit during any scheduled caucus.

Reading of Reports

Rule 47. The majority report, and minority report, if there be one, together with the names of the signers thereof, shall be read by the secretary, unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

Recalling Bills from Committees

Rule 48. Any standing committee of the senate may be relieved of further consideration of any bill, regardless of prior action of the committee, by a majority vote of the senators elected

or appointed. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.

Bills Referred to Rules Committee

Rule 49. All bills reported by a committee to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Rules 63 and 64.)

Rules Committee

Rule 50. The lieutenant governor shall be a voting member and the chair of the committee on rules. The committee on rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall be considered by the senate and the committee on rules shall have the authority to directly refer any bill before them to any other standing committee. Such referral shall be reported out to the senate on the next day's business.

The senate may change the order of consideration of bills on the second or third reading calendar.

The calendar, except in emergent situations, as determined by the committee on rules, shall be on the desks and in the offices of the senators each day and shall cover the bills for consideration on the next following day.

Employment Committee

Rule 51. The employment committee for committee staff shall consist of five members, three from the majority party and two from the minority party. The chair shall be appointed by the majority leader. The committee shall, in addition to its other duties, appoint a staff director for committee services with the concurrence of four of its members. All other decisions shall be determined by majority vote. The committee shall operate within staffing, budget levels and guidelines as authorized and adopted by the facilities and operations committee.

Committee of the Whole

Rule 52. At no time shall the senate sit as a committee of the whole.

The senate may at any time, by the vote of the majority of the members present, sit as a body for the purpose of taking testimony on any measure before the senate.

Appropriation Budget Bills

Rule 53. No amendment to the budget, capital budget or supplemental budget, not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of sixty percent of the senators elected or appointed.

SECTION VI

BILLS, RESOLUTIONS, MEMORIALS AND GUBERNATORIAL APPOINTMENTS

Definitions

Rule 54. "Measure" means a bill, joint memorial, joint resolution, or concurrent resolution.

"Bill" when used alone means bill, joint memorial, joint resolution, or concurrent resolution.

"Majority" shall mean a majority of those members present unless otherwise stated.

Prefiling

Rule 55. Holdover members and members-elect to the senate may prefile bills with the secretary of the senate on any day commencing with the first Monday in December preceding any session year; or twenty days prior to any special session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day. No bill, joint memorial or joint resolution shall be prefiled by title and/or preamble only. (See also Rule 3, Sub. 3.)

Introduction of Bills

Rule 56. All bills, joint resolutions and joint memorials introduced shall be endorsed with a statement of the title and the name of the member introducing the same. Any member desiring to introduce a bill, joint resolution or joint memorial shall file the same with the secretary of the senate by noon of the day before the convening of the session at which said bill, joint resolution or joint memorial is to be introduced.

After the expiration of deadlines for bill introductions provided for by resolution, no bill shall be introduced, except as the legislature shall direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees and general appropriation and revenue bills. (See also Art. 2, Sec. 36, State Constitution.)

Amendatory Bills

Rule 57. Bills introduced in the senate intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "NEW SECTION" in upper case type and such designation shall be underlined. New enactments need not be underlined.

When statutes are being repealed, the Revised Code of Washington section number to be repealed, the section caption and the session law history, from the most current to the original, shall be cited.

Joint Resolutions and Memorials

Rule 58. Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

Senate Concurrent Resolutions

Rule 59. Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call. Concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal. Concurrent resolutions are subject to final passage on the day of the first reading without regard to Senate Rules 62, 63, and 64.

Committee Bills

Rule 60. Committee bills introduced by a standing committee during a legislative session may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules for second reading.

Committee Reference

Rule 61. When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

FIRST: A standing committee.

SECOND: A select committee.

Reading of Bills

Rule 62. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule. On and after the tenth day preceding adjournment sine die of any session, or three days prior to any cut-off date for consideration of bills, as determined pursuant to Article 2, Section 12 of the Constitution or concurrent resolution, this rule may be suspended by a majority vote. (See also Rule 59).

First Reading

Rule 63. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate committee pursuant to Rule 61.

Upon being reported back by committee, all bills shall be referred to the committee on rules for second reading, unless otherwise ordered by the senate. (See Rule 49.)

A bill shall be reported back by the committee chair upon written petition therefor signed by a majority of its members. The petition shall designate the recommendation as provided in Rule 45, Sub. 4.

No committee chair shall exercise a pocket veto of any bill.

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

Second Reading/Amendments

Rule 64. Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

Any member may, if sustained by three members, remove a bill from the consent calendar as constituted by the committee on rules. A bill removed from the consent calendar shall take its place as the last bill in the order of consideration of bills on the second reading calendar.

No amendment shall be considered by the senate until it shall have been sent to the secretary's desk in writing and read by the secretary.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal, and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules for third reading.

Third Reading

Rule 65. Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate.

Scope and Object of Bill Not to be Changed

Rule 66. No amendment to any bill shall be allowed which shall change the scope and object of the bill. (See also Art. 2, Sec. 38, State Constitution.) Substitute bills shall be considered amendments for the purposes of this rule. A point of order raising the question of scope and object may be raised at any time during consideration of an amendment prior to voting on the amendment.

Matters Related to Disagreement Between the Senate and House

Rule 67. When there is a disagreement between the senate and house on a measure before the senate, the senate may act upon the measure with the following motions which have priority in the following order:

To concur
To non-concur
To recede
To insist
To adhere

These motions are in order as to any single amendment or to a series of amendments. (See Reed's Rules 247 through 254.)

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to an appropriate committee and shall take the same course as for original bills, unless a motion to ask the house to recede, to insist or to adhere is made prior to the measure being referred to committee.

Bills Committed for Special Amendment

Rule 68. A bill may be committed with or without special instructions to amend at any time before taking the final vote.

Confirmation of Gubernatorial Appointees

Rule 69. When the names of appointees to state offices are transmitted to the Secretary of the Senate for senate confirmation, the communication from the governor shall be recorded and referred to the appropriate standing committee.

The standing committee, or subcommittee, pursuant to rule 42, shall require each appointee referred to the committee for consideration to complete the standard questionnaire to be used to ascertain the appointee's general background and qualifications. The committee may also require the appointee to complete a supplemental questionnaire related specifically to the qualifications for the position to which he has been appointed.

Any hearing on a gubernatorial appointment, held by the standing committee, or subcommittees, pursuant to rule 42, shall be a public hearing. The appointee may be required to appear before the committee on request. When appearing, the appointee shall be required to testify under oath or affirmation. The chair of the committee or the presiding member shall administer the oath or affirmation in accordance with RCW 44.16. (See also Article 2, Sec. 6 of the State Constitution.)

Nothing in this rule shall be construed to prevent a standing committee, or subcommittee, pursuant to rule 42, upon a two-thirds vote of its members, from holding executive sessions when considering an appointment.

When the committee on rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. In the event a message is received from the governor requesting return of an appointment or appointments to the office of the governor prior to confirmation, the senate shall vote upon the governor's request and the appointment or appointments shall be returned to the governor if the request is approved by a majority of the members elected or appointed. (Article 13 of the State Constitution.)

MOTION

Senator Finkbeiner moved that the following amendment by Senator Finkbeiner be adopted.

On page 22, line 24, after "Rules" strike "18" and insert "19".

Senators Finkbeiner and Brown spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Finkbeiner on page 22, line 24 to Senate Resolution No. 8601.

The motion by Senator Finkbeiner carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of Engrossed Senate Resolution No. 8601.

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

MESSAGES FROM THE HOUSE

January 10, 2005

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4400, and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

January 10, 2005

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4401, and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

January 10, 2005

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4402, and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

January 10, 2005

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4403, and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5000 by Senators Honeyford, Schoesler, Benson, McCaslin, Deccio, Mulliken and Johnson

AN ACT Relating to license plate replacement; and reenacting and amending RCW 46.16.233.

Referred to Committee on Transportation.

SB 5001 by Senators Honeyford, Benton, Schmidt and Johnson

AN ACT Relating to participation in the border county higher education project by promise scholarship recipients; and amending RCW 28B.119.010.

Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5002 by Senators Regala, Swecker, Hargrove, Brandland, Doumit and Shin

AN ACT Relating to camping resort contracts; and amending RCW 19.105.310 and 19.105.325.

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

SB 5003 by Senators Hargrove, Stevens, Haugen and Kline

AN ACT Relating to DNA testing; and amending RCW 10.73.170.

Referred to Committee on Human Services & Corrections.

SB 5004 by Senators Rasmussen and Shin

AN ACT Relating to commercial feed; amending RCW 15.53.901, 15.53.9013, 15.53.9014, 15.53.9014, 15.53.9016, 15.53.9018, 15.53.9024, and 15.53.9044; adding a new section to chapter 15.53 RCW; repealing RCW 15.53.9053; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5005 by Senators Jacobsen, Oke, Kline, Parlette, Fraser and Shin

AN ACT Relating to nature-based tourism; amending RCW 67.28.080; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5006 by Senator Jacobsen

AN ACT Relating to the sale of aquaculture products from leased state-owned aquatic lands; amending RCW 79.90.210 and 79.96.080; and adding a new section to chapter 79.96 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5007 by Senator Jacobsen

AN ACT Relating to harbor lines; and amending RCW 79.92.030.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5008 by Senators Pflug, Rasmussen, Honeyford, Delvin, Mulliken, Schoesler, Oke, Brandland, Stevens, Benton, Benson, Carrell, Parlette, Deccio and Johnson

AN ACT Relating to updating state law to conform to changes in the federal estate tax; amending RCW 11.02.005 and 83.100.020; and creating a new section.

Referred to Committee on Ways & Means.

SB 5009 by Senators Rasmussen, Schoesler and Shin

AN ACT Relating to the conservation assistance revolving account; and amending RCW 89.08.550.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5010 by Senators Rasmussen and Schoesler

AN ACT Relating to funding conservation districts; amending RCW 89.08.410; and declaring an emergency.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5011 by Senator Haugen

AN ACT Relating to transportation funding and appropriations; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5012 by Senator Haugen

AN ACT Relating to transportation funding and appropriations; amending 2004 c 229 ss 206, 207, 208, 209, 211, 212, 213, 215, 218, 219, 220, 222, 223, 224, 225, 401, 402, 404, 405, and 406 (uncodified); amending 2003 c 360 s 218 (uncodified); adding a new section to 2003 c 360 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Transportation.

SB 5013 by Senators Honeyford and Sheldon

AN ACT Relating to recreational vehicle logos on highway sign panels; amending RCW 47.36.310; reenacting and amending RCW 47.36.320; and adding a new section to chapter 47.36 RCW.

Referred to Committee on Transportation.

SB 5014 by Senators Fraser and Swecker

AN ACT Relating to county treasurer administrative changes; amending RCW 1.12.070, 36.29.010, 63.29.135, 63.29.190, 82.02.020, 82.45.090, 84.56.310, and 84.69.020; adding a new section to chapter 84.56 RCW; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5015 by Senators Jacobsen and Deccio

AN ACT Relating to creating a nonpartisan judicial commission; amending RCW 2.04.100 and 2.06.080; adding a new section to chapter 2.04 RCW; and providing a contingent effective date.

Referred to Committee on Judiciary.

SB 5016 by Senators Jacobsen, Rockefeller, Oke, Kohl-Welles and Shin

AN ACT Relating to wildlife conservation awards; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5017 by Senators Jacobsen, Thibaudeau and Shin

AN ACT Relating to the sale of logs and wood from state-owned aquatic lands; and amending RCW 79.90.245.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5018 by Senators Jacobsen, Rockefeller, Kline, Franklin and Spanel

AN ACT Relating to part-time faculty of community and technical colleges; amending RCW 28B.50.4892; and creating a new section.

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

SB 5019 by Senator Jacobsen

AN ACT Relating to student athletes' bill of rights; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5020 by Senators Jacobsen, Kohl-Welles, Kline and Fraser

AN ACT Relating to leaves of absence for peace corps volunteers; and adding a new section to chapter 28A.400 RCW.

Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5021 by Senators Jacobsen, Prentice and Parlette

AN ACT Relating to the Hispanic American endowed scholarship program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5022 by Senators Jacobsen and Spanel

AN ACT Relating to student membership on governing boards of institutions of higher education; and amending RCW 28B.20.100, 28B.30.100, 28B.35.100, and 28B.40.100.

Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5023 by Senators Jacobsen and Oke

AN ACT Relating to vehicle headlights; and amending RCW 46.37.020.

Referred to Committee on Transportation.

SB 5024 by Senators Jacobsen, Kline and Shin

AN ACT Relating to tax incentives to encourage telework; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5025 by Senators Jacobsen and Kohl-Welles

AN ACT Relating to an intercollegiate and community swim facility; creating a new section; and making an appropriation.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5026 by Senators Regala, Honeyford, Fraser and Parlette

AN ACT Relating to tax abatements for property damaged or destroyed by natural disasters; and amending RCW 84.70.010.

Referred to Committee on Ways & Means.

SB 5027 by Senator Jacobsen

AN ACT Relating to the collection of the real estate excise tax upon transfers of water rights; amending RCW 90.03.280, 82.45.010, and 82.45.090; adding a new section to chapter 90.03 RCW; adding a new section to chapter 90.44 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Water, Energy & Environment.

SB 5028 by Senator Jacobsen

AN ACT Relating to property tax levies; amending RCW 84.55.005; and repealing RCW 84.55.0101.

Referred to Committee on Government Operations & Elections.

SB 5029 by Senators Jacobsen, Rockefeller, Kohl-Welles, Kline, Franklin and Eide

AN ACT Relating to safe drinking water in schools; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Water, Energy & Environment.

SB 5030 by Senators Jacobsen and Fraser

AN ACT Relating to toxic exposures reporting and tracking review panel; and adding new sections to chapter 70.104 RCW.

Referred to Committee on Water, Energy & Environment.

SB 5031 by Senators Haugen, Jacobsen, Kastama and Swecker

AN ACT Relating to all-terrain vehicles; amending RCW 46.01.040; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Transportation.

SB 5032 by Senators Fairley, Swecker, Regala, Fraser, Kline and Spanel

AN ACT Relating to the six-year review of property tax exemptions; adding a new section to chapter 44.28 RCW; and repealing RCW 43.136.010, 43.136.020, 43.136.030, 43.136.040, 43.136.050, and 43.136.070.

Referred to Committee on Ways & Means.

SB 5033 by Senators Kastama and Shin

AN ACT Relating to penalties for violation of the campaign finance and contribution limits, lobbying, political advertising, and public officials' financial affairs reporting subdivisions of the public disclosure act; amending RCW 42.17.390, 42.17.395, and 42.17.400; adding a new section to chapter 42.17 RCW; and prescribing penalties.

Referred to Committee on Government Operations & Elections.

SB 5034 by Senator Kastama

AN ACT Relating to disclosure of and restrictions on campaign funding; amending RCW 42.17.020, 42.17.103, 42.17.110, 42.17.510, and 42.17.530; reenacting and amending RCW 42.17.640; adding new sections to chapter 42.17 RCW; creating a new section; repealing RCW 42.17.505; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5035 by Senators Thibaudeau, Brandland and Franklin

AN ACT Relating to forensic pathology; amending RCW 43.103.030 and 43.79.445; and repealing RCW 28B.20.426.

Referred to Committee on Health & Long-Term Care.

SB 5036 by Senators Fraser, Zarelli, Regala and Spanel

AN ACT Relating to authorization for projects recommended by the public works board; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5037 by Senators Prentice, Kohl-Welles, Kline, Deccio and Franklin

AN ACT Relating to problem gambling; amending RCW 43.20A.890, 67.70.340, 82.04.350, 82.04.290, and 9.46.071; adding a new section to chapter 43.20A RCW; adding new sections to chapter 82.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

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

SB 5038 by Senators Honeyford, Oke, Kline, Mulliken and Eide

AN ACT Relating to the duty to yield to emergency and police vehicles; amending RCW 46.61.210 and 46.63.020; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SJR 8200 by Senators Jacobsen and Deccio

Requiring that supreme court vacancies be filled according to statute.

Referred to Committee on Judiciary.

SJR 8201 by Senator Jacobsen

Amending the Constitution to remove initiatives and referenda powers.

Referred to Committee on Government Operations & Elections.

SCR 8400 by Senators Brown and Esser

Establishing cutoff dates for the 2005 regular session.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5018 which was referred to the Committee on Labor, Commerce, Research & Development; Senator Bill No. 5029, which was referred to the Committee On Water, Energy & Environment and Senate Concurrent Resolution No. 8400 which the rules were suspended and placed on the second reading calendar under suspension of the rules.

SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4400 by Representatives Kessler and Armstrong

Notifying the Governor that the Legislature is organized.

HCR 4401 by Representatives Kessler and Armstrong

Adopting joint rules.

HCR 4402 by Representatives Kessler and Armstrong

Calling three joint sessions of the legislature.

HCR 4403 by Representatives Kessler and Armstrong

Remembering former legislators.

MOTION

On motion of Senator Eide, all measures listed on the Supplemental Introduction and First Reading report were referred to the committees as designated with the exception of House Concurrent Resolution No. 4400, House Concurrent Resolution No. 4401, House Concurrent No. 4402 and House Concurrent Resolution No. 4403 which the rules were suspended and they were placed on the second reading calendar.

MOTION

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Kessler and Armstrong

Notifying the Governor that the Legislature is organized.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, House Concurrent Resolution No. 4400 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4400. HOUSE CONCURRENT RESOLUTION NO. 4400 was adopted by voice vote.

MOTION

On motion of Senator Eide, House Concurrent Resolution No. 4400 was immediately transmitted to the House of Representatives.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8400, by Senators Brown and Esser

Establishing cutoff dates for the 2005 regular session.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, Senate Concurrent Resolution No. 8400 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8400. SENATE CONCURRENT RESOLUTION NO. 8400 was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4401, by Representatives Kessler and Armstrong

Adopting joint rules.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, House Concurrent Resolution No. 4401 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4401. HOUSE CONCURRENT RESOLUTION NO. 4401 was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4402, by Representatives Kessler and Armstrong

Calling three joint sessions of the legislature.

The measure was read the second time.

MOTIONS

Senator Finkbeiner moved that the following amendment by Senator Finkbeiner be adopted.

On page 1, line 6, after "Constitution," insert the following: "with the exception of the office of Governor, for which certification shall be deferred in order to enable election contests filed in the courts to be acted upon,"

On page 1, line 12, after "officials" insert, "except the Governor" and strike the remainder of line 12 and all of line 13 through "Governor".

On page 2, line 2, after "Alexander" strike "." and insert the following: "; and

BE IT FURTHER RESOLVED, By the House of Representatives, the Senate concurring, That the Senate meet the House of Representatives in Joint Session on Tuesday, January 25, 2005, at 11:45 a.m. in the House Chamber, for the purpose of certifying the vote of the office of Governor as required by Article III, section 4, of the state Constitution."

Senators Finkbeiner, Schmidt, Sheldon, Johnson, and Mulliken spoke in favor of adoption of the amendment.

Senators Hargrove and Kastama spoke against adoption of the amendment.

Senator Eide demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Benton spoke in favor of adoption of the amendment.

Senator Hewitt and Brown spoke against adoption of the amendment.

Senator Eide demanded that the previous question be put.

The President declared that at least two additional senators joined the demand.

The President declared the question before the Senate to be the motion of Senator Eide, "Shall the main question be now put?"

Senator Eide demanded a division.

The motion by Senator Eide that the previous question be put was sustained by voice vote.

The President declared the question before the Senate to be the adoption of the amendment by Senator Finkbeiner on page 1, line 6 to Concurrent Resolution No. 4402.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Finkbeiner and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Roach, Schmidt, Schoesler, Sheldon, Stevens, Swecker and Zarelli - 24.

Voting nay: Senators Berkey, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Shin, Spanel, Thibaudeau and Weinstein - 25.

MOTION

On motion of Senator Eide, the rules were suspended, House Concurrent Resolution No. 4402 was advanced to third reading,

the second reading considered the third and the concurrent resolution was placed on final passage.

Senator Kohl-Welles spoke in favor of passage of the resolution.

Senator Finkbeiner spoke against passage of the resolution.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4402.

ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 4402 and the concurrent resolution passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Berkey, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Shin, Spanel, Thibaudeau and Weinstein - 25

Voting nay: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Roach, Schmidt, Schoesler, Sheldon, Stevens, Swecker and Zarelli - 24

HOUSE CONCURRENT RESOLUTION NO. 4402, having received the constitutional majority, was declared passed.

PERSONAL PRIVILEGE

Senator Schmidt: "Thank you Mr. President. Point of personal privilege. Well, I really can't help but making this comment. I know this is somewhat of touchy issue for all of us. When we were voting on the amendment, the new fine Senator from the 28th District, they called his name twice, and twice he said, Aye. We just want to say, can't we just accept the human error and take the over vote that they won it."

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4403, by Representatives Kessler and Armstrong

Remembering former legislators.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, House Concurrent Resolution No. 4403 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4403.

HOUSE CONCURRENT RESOLUTION NO. 4403 was adopted by voice vote.

STANDING COMMITTEE ASSIGNMENTS

The President announced the following 2005 Standing Committee Assignments.

Agriculture & Rural Economic Development (7) – Rasmussen, Chair; Shin, Vice Chair; Delvin; Jacobsen; Morton; *Schoesler, Sheldon.

Early learning, K-12 & Higher Education (16) – McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair (Early Learning & K-12); Berkey; Benton; Carrell;

Delvin; Eide; Kohl-Welles; Mulliken; Pflug; Rasmussen; Rockefeller; *Schmidt; Schoesler; Shin.

Financial Institutions, Housing & Consumer Protection (11) – Fairley, Chair; Berkey, Vice Chair; *Benton; Benson; Brandland; Delvin; Franklin; Keiser; Prentice; Schmidt; Spanel.

Government Operations & Elections (10) – Kastama, Chair; Berkey, Vice Chair; Benton; Haugen; Kline; McCaslin; Mulliken; Pridemore; *Roach.

Health & Long-Term Care (11) – Keiser, Chair; Thibaudeau, Vice Chair; Benson; Brandland; *Deccio; Franklin; Kastama; Kline; Johnson; Parlette; Poulsen.

Human Services & Corrections (7) – Hargrove, Chair; Regala, Vice Chair; Brandland; Carrell; McAuliffe; *Stevens; Thibaudeau.

International Trade & Economic Development (7) – Shin, Chair; Sheldon, Vice Chair; Doumit; Eide; *Pflug; Roach; Zarelli.

Judiciary (9) – Kline, Chair; Winestein, Vice Chair; Carrell; Esser; Hargrove; *Johnson; Kohl-Welles; McCaslin; Thibaudeau.

Labor, Commerce, Research & Development (9) – Kohl-Welles, Chair; Franklin, Vice Chair; Brown; Deccio; Hewitt; Honeyford; Keiser; *Parlette; Prentice.

Natural Resources, Ocean & Recreation (9) – Jacobsen, Chair; Doumit, Vice Chair; Fraser; Hargrove; Morton; *Oke; Spanel; Stevens; Swecker.

Transportation (12) – Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson; Eide; Esser; Kastama; Mulliken; Oke; Spanel; *Swecker; Weinstein.

Water, Energy & Environment (9) – Poulsen, Chair; Rockefeller, Vice Chair; Fraser; Hewitt; Honeyford; *Morton; Mulliken; Pridemore; Regala.

Ways & Means (17) – Prentice, Chair; Doumit, Vice Chair, Operating Budget; Fraser, Vice Chair, Capital Budget; Brandland; Fairley; Hewitt; Kohl-Welles; Parlette; Pflug; Pridemore; Rasmussen; Regala; Roach; Rockefeller; Schoesler; Thibaudeau; *Zarelli.

Rules (20) – Lt. Governor, Chair; Franklin, Vice Chair; Brown; Doumit; Eide; Esser; Finkbeiner; Fraser; Haugen; Hewitt; Honeyford; Johnson; Kline; Kohl-Welles; Parlette; Regala; Spanel; Stevens; Thibaudeau; Zarelli.

Senator Eide moved that the committee assignments be confirmed.

The President declared the motion by Senator Eide to confirm the committee assignments passed.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill as required by Article III, section 12, of the Washington State Constitution:
Substitute Senate Bill No. 6118

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 31st day of March, 2004.

SAM REED, Secretary of State

(Seal)

SAM REED, Secretary of State

MOTION

At 3:42 p.m. on motion of Senator Eide, the Senate adjourned until 11:00 a.m. Tuesday, January 11, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill as required by Article III, section 12, of the Washington State Constitution:

Engrossed Second Substitute Senate Bill No. 6358

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 26th day of March, 2004.

SAM REED, Secretary of State

(Seal)

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill as required by Article III, section 12, of the Washington State Constitution:

Engrossed Senate Bill No. 6453

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 1st day of April, 2004.

SAM REED, Secretary of State

(Seal)

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill as required by Article III, section 12, of the Washington State Constitution:

Senate Bill No. 6493

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 26th day of March, 2004.