

**FIFTY NINTH LEGISLATURE - REGULAR SESSION****SECOND DAY**

House Chamber, Olympia, Tuesday, January 11, 2005

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

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

**INTRODUCTION & FIRST READING**

HB 1032 by Representatives Kirby, Roach, Simpson and Schual-Berke; by request of Insurance Commissioner

AN ACT Relating to adopting the interstate insurance product regulation compact; and adding a new chapter to Title 48 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1033 by Representatives Kirby, Roach, Morrell and Simpson; by request of Insurance Commissioner

AN ACT Relating to insurable interests and employer-owned life insurance; amending RCW 48.18.010, 48.18.030, and 48.18.060; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1034 by Representatives Kirby, Roach and Simpson; by request of Insurance Commissioner

AN ACT Relating to the administrative supervision of financially distressed insurers; amending RCW 48.31.020 and 48.31.115; and adding new sections to chapter 48.31 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1035 by Representatives Kirby, Roach, Simpson and Schual-Berke; by request of Insurance Commissioner

AN ACT Relating to providing confidentiality to certain insurance commissioner examinations; and amending RCW 48.02.065.

Referred to Committee on State Government Operations & Accountability.

HB 1036 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to fiscal matters; amending RCW 9.46.100, 28A.160.195, 28A.305.210, 28A.500.030, 41.50.110, 41.50.110, 43.07.130, 43.08.190, 43.10.180, 43.10.215, 43.72.900, 46.09.170, 67.40.025, 67.40.040, 70.105D.070, 70.146.030, 70.146.080, 70.148.020, and 84.52.068; reenacting and amending RCW 43.320.110; creating new sections; making appropriations; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1037 by Representative Sommers; by request of Governor Locke

AN ACT Relating to fiscal matters; amending RCW 66.16.010; amending 2004 c 276 ss 105, 106, 107, 108, 110, 111, 115, 117, 118, 120, 121, 122, 123, 124, 126, 129, 131, 132, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 217, 218, 301, 302, 304, 306, 307, 308, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 513, 514, 515, 516, 701, 702, 703, 709, 802 (uncodified); amending 2003 1st sp.s. c 25 ss 119, 152, and 617 (uncodified); adding new sections to 2003 1st sp.s. c 25 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1038 by Representative Sommers; by request of Governor Locke

AN ACT Relating to fiscal matters; amending RCW 9.46.100, 28A.160.195, 28A.305.210, 41.50.110, 41.50.110, 43.07.130, 43.08.190, 43.10.180, 43.10.215, 43.72.900, 46.09.170, 66.16.010, 67.40.025, 67.40.040, 70.105D.070, 70.146.030, 70.146.080, and 70.148.020; reenacting and amending RCW 43.320.110; creating new sections; making appropriations; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1039 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to a general fund working capital designation; amending RCW 43.88.260; reenacting and

amending RCW 43.135.035; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Appropriations.

HB 1040 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to the operations of residential habilitation centers; amending RCW 28A.190.020, 71A.20.020, 72.05.010, 71A.10.050, 71A.20.080, and 43.21C.038; adding a new section to chapter 71A.20 RCW; and repealing RCW 71A.20.030.

Referred to Committee on Children & Family Services.

HB 1041 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to the nursing facility medicaid payment system; amending RCW 74.46.431, 74.46.435, 74.46.437, 74.46.506, and 74.46.521; repealing RCW 74.46.433 and 74.46.439; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1042 by Representative Sommers; by request of Governor Locke

AN ACT Relating to the early childhood education and assistance program; amending RCW 28A.215.100, 28A.215.110, 28A.215.120, and 28A.215.150; adding a new section to chapter 28A.215 RCW; and repealing RCW 28A.215.140 and 28A.215.190.

Referred to Committee on Education.

HB 1043 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to public pension gain-sharing increase amounts; amending RCW 41.31.010, 41.31.020, 41.31A.020, 41.45.060, and 41.45.070; reenacting and amending RCW 41.45.060 and 41.45.070; adding a new section to chapter 41.31 RCW; adding a new section to chapter 41.31A RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1044 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to pension funding methodology; amending RCW 41.45.010, 41.45.010, 41.45.054, and

41.45.060; reenacting and amending RCW 41.45.060; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1045 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to creating the gambling account; amending RCW 9.46.100; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1046 by Representative Sommers; by request of Office of Financial Management

AN ACT Relating to the public safety and education account; amending RCW 43.08.250, 43.08.260, 3.46.120, 3.50.100, 3.62.020, 3.62.040, 7.68.030, 7.68.035, 7.68.085, 9A.82.110, 9.68A.120, 10.82.090, 10.105.010, 35.20.220, 36.18.012, 36.18.020, 36.18.025, 43.17.150, 46.61.5058, 77.12.201, 77.15.420, 72.09.111, 72.09.480, 77.12.201, 43.99H.060, and 43.99K.030; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1047 by Representatives Hudgins, Conway, McIntire, Chase and Upthegrove

AN ACT Relating to including renewable energy in the mix of energy resources; and adding a new chapter to Title 19 RCW.

Referred to Committee on Technology, Energy & Communications.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

#### MESSAGES FROM THE SENATE

January 10, 2005

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4400, and the same is herewith transmitted.

Tom Hoemann, Secretary

January 10, 2005

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4401, and the same is herewith transmitted.

Tom Hoemann, Secretary

January 10, 2005

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4402, and the same is herewith transmitted.

Tom Hoemann, Secretary

January 10, 2005

Mr. Speaker:

The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 8400, and the same is herewith transmitted.

Tom Hoemann, Secretary

**SIGNED BY THE SPEAKER**

The Speaker signed:

HOUSE CONCURRENT RESOLUTION NO. 4400,  
HOUSE CONCURRENT RESOLUTION NO. 4401,  
HOUSE CONCURRENT RESOLUTION NO. 4402,

The Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen to the Rostrum. The Senators were invited to sit within the Chamber.

**JOINT SESSION**

The Speaker called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

Mr. Speaker: "The first purpose of this joint session is to comply with the constitutional requirement of canvassing the vote for and against referenda and initiatives and for the constitutional elective officers."

**MESSAGES FROM THE SECRETARY OF STATE**

Mr. Speaker:

I, Sam Reed, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.260, I have canvassed the returns of the 2,883,499 votes cast by the 3,514,078 registered voters of the state for and against the initiatives and referendum which were submitted to vote of the people at the state general election

held on the 2<sup>nd</sup> day of November, 2004, as received from the County Auditors.

**Initiative Measure No. 872**

"Initiative Measure No. 872 concerns elections for partisan offices. This measure would allow voters to select among all candidates in a primary. Ballots would indicate candidates' party preference. The two candidates receiving most votes advance to the general election, regardless of party."

Yes	1,632,225
No	1,095,190

**Initiative Measure No. 884**

"Initiative Measure No. 884 concerns dedicating funds designated for educational purposes. This measure would create an education trust fund for smaller classes, extended learning programs, certain salary increases, preschool access, and expanded college enrollments and scholarships, funded by increasing retail sales tax by 1%."

Yes	1,102,996
No	1,654,112

**Initiative Measure No. 892**

"Initiative Measure No. 892 concerns authorizing additional "electronic scratch ticket machines" to reduce property taxes. This measure would authorize licensed non-tribal gambling establishments to operate the same type and number of machines as tribal governments, with a portion of tax revenue generated used to reduce state property taxes."

Yes	1,069,414
No	1,711,785

**Referendum Measure No. 55**

"The legislature passed Engrossed Second Substitute House Bill 2295 (E2SHB 2295) concerning charter public schools. This bill would authorize charter public schools and would set conditions on operations. Charter schools would be operated by qualified nonprofit corporations, under contracts with local education boards, and allocated certain public funds."

Yes	1,122,964
No	1,572,203

**Initiative Measure No. 297**

"Initiative Measure No. 297 concerns "mixed" radioactive and nonradioactive hazardous waste. This measure would add new provisions concerning "mixed" radioactive and nonradioactive hazardous waste, requiring cleanup of contamination before additional waste is added, prioritizing cleanup, providing for public participation and enforcement through citizen lawsuits."

Yes 1,812,581  
 No 810,795

I further certify that, according to the provisions of RCW 43.07.030, I have canvassed the returns of the votes cast at the state general election held on the 2<sup>nd</sup> day of November, 2004, for all federal, statewide, legislative and joint judicial offices, and that the votes cast for candidates for these offices are as follows:

Office	Name	Party	Votes
President/Vice President	John Kerry/John Edwards	D	1510201
	George Bush/Dick Cheney	R	1304894
	Michael Badnarik/Richard V. Campagna	L	11955
	John Parker/Teresa Gutierrez	WW	1077
	David Cobb/Patricia Lamarche	G	2974
	James Harris/Margaret Trowe	SW	547
	Michael Anthony Peroutka/Chuck Baldwin	C	3922
	Bill Van Auken/Jim Lawrence	SE	231
	Ralph Nader/Peter Camejo	I	23283
	US Senator	Patty Murray	D
George R. Nethercutt, Jr.		R	1204584
J. Mills		L	34055
Mark B. Wilson		G	30304
US Representative Division	1 Jay Inslee	D	204121
	Randy Eastwood	R	117850
	Charles Moore	L	5798
	2 Rick Larsen	D	202383
	Suzanne Sinclair	R	106333
	Bruce Guthrie	L	7966
	3 Brian Baird	D	193626
	Thomas A. Crowson	R	119027
	4 Sandy Matheson	D	92486
	Doc Hastings	R	154627
	5 Don Barbieri	D	121333
	Cathy McMorris	R	179600
	6 Norm Dicks	D	202919
	Doug Cloud	R	91228
	7 Jim McDermott	D	272302
	Carol Cassady	R	65226
	8 Dave Ross	D	157148
	Dave Reichert	R	173298
	Spencer Garrett	L	6053
	9 Adam Smith	D	162433
	Paul J. Lord	R	88304

Governor	Robert F. Losey	G	5934
	Christine Gregoire	D	1371153
	Dino Rossi	R	1371414
Lt. Governor	Ruth Bennett	L	63346
	Brad Owen	D	1443505
	Jim Wiest	R	1019790
	Jocelyn A Langlois	L	117147
	Bern Haggerty	G	73328
Secretary of State	Laura Ruderman	D	1209299
	Sam Reed	R	1369421
State Treasurer	Jacqueline Passey	L	82097
	Mike Murphy	D	1575499
	Oscar S. Lewis	R	941754
State Auditor	John Sample	L	96144
	Brian Sonntag	D	1668575
	Will Baker	R	841772
	Jason G. Bush	L	101161
Attorney General	Deborah Senn	D	1163964
	Rob McKenna	R	142568
	J. Bradley Gibson	L	56792
Commissioner of Public Lands	Paul Richmond	G	44020
	Mike Cooper	D	1223207
Superintendent of Public Instruction	Doug Sutherland	R	1309441
	Steve Layman	L	88171
Insurance Commissioner	Teresa (Terry) Bergeson	NP	1293560
	Judith Billings	NP	1036912
State Supreme Court Justice	Mike Kreidler	D	1393764
	John Adams	R	1058583
	Stephen D. Steele	L	107295
State Supreme Court Justice	1 Jim Johnson	NP	1178194
	Mary Kay Becker	NP	1086319
State Supreme Court Justice	5 Barbara Madsen	NP	1892177
	6 Richard B. Sanders	NP	1310998
Court of Appeals	Terry Sebring	NP	837077
	2 3 2 C.C. Bridgewater	NP	167222
Court of Appeals	3 2 1 Dennis J. Sweeney	NP	113621
	Superior Court Judge	1 William D. (Bill) Acey	NP
Superior Court Judge	1 Rebecca M. Baker	NP	19111
	Superior Court Judge	2 Allen C. Nielson	NP
Superior Court Judge	1 Alan R. Hancock	NP	30579
	Superior Court Judge	2 Vickie I. Churchill	NP
Superior Court Judge	1 E. Thompson	NP	9966
	Superior Court Judge	"Tom" Reynolds	NP
Superior Court Judge	1 Joel Penoyar	NP	8988

State Senator	1	Rosemary McAuliffe	D	33389	State Representative	8	1	Rick Dillender	D	14054
		Jason Bontrager	R	25229				Shirley Hankins	R	38546
State Representative	1	Al O'Brien	D	31238	State Representative	8	2	Jerad Koeppe	D	15734
		Jeff Merrill	R	25037				Larry Haler	R	36404
		Terry Bartlett	L	1872	State Senator	9		Gail Rowland	D	16387
State Representative	1	Mark Ericks	D	29767				Mark G.	R	32105
								Schoesler		
		Joshua Freed	R	28313	State Representative	9	1	Sean Gallegos	D	15960
State Senator	2	Marilyn Rasmussen	D	28395				Don Cox	R	32018
		Deryl McCarty	R	25438	State Representative	9	2	Eileen (Mac) Macoll	D	18115
State Representative	2	Dennis Townsend	D	25478				David Buri	R	28964
		Jim McCune	R	27528	State Senator	10		Mary Margaret Haugen	D	31196
State Representative	2	Glen Nutter	D	22835				April Lynne Axtheim	R	29219
		Tom Campbell	R	30505				Brett Wilhelm	L	1653
State Senator	3	Lisa Brown	D	25930	State Representative	10	1	Nancy Conard	D	28415
		Mike Casey	R	15647						
State Representative	3	Alex Wood	D	25,237				Chris Strow	R	30228
		David Stevens	R	15,724	State Representative	10	2	Tom Bronkema	L	1728
		Timm Ormsby	D	23765				Mark L. Norton	D	22894
		Ryan Leonard	R	16634				Barbara Baily	R	34899
State Senator	4	Tim Hattenburg	D	23437				Lew Randall	L	1903
		Bob McCaslin	R	34,447	State Senator	11		Margarita Prentice	D	25303
State Representative	4	Jim Peck	D	21,905				Bill Roenicke	R	10929
		Larry Crouse	R	35071				Jennifer Christensen	L	2545
		Ed Foote	D	19,356						
State Senator	5	Lynn Schindler	R	37323	State Representative	11	1	Zack Hudgins	D	25724
		Kathy Huckabay	D	26457						
		Cheryl Pflug	R	38,186				Elizabeth Harris	R	12261
State Representative	5	Jaime Capili	L	1327	State Representative	11	2	Bob Hasegawa	D	25714
		Jeff Griffin	D	28273						
		Jay Rodne	R	33,417	State Senator	12		Ruth Gibbs	R	13058
		Keith Kemp	L	2,122				Linda Evans	R	40620
		Barbara deMichele	D	27200	State Representative	12	1	Parlette Tony Zinman	D	16684
		Glenn Anderson	R	34283						
State Senator	6	Beau Gunderson	L	1922	State Representative	12	2	Cary Condotta	R	31919
		Laurie Dolan	D	32104				Todd R. Smith	D	15972
		Brad Benson	R	33,312						
State Representative	6	Don A. Barlow	D	29775	State Representative	13	1	Mike Armstrong	R	31725
		John Serben	R	32,136				Dale Hubbard	D	14745
		Douglas Dobbins	D	24,580	State Representative	13	2	Jenea Holmquist	R	29551
		John E. Ahern	R	37755				Patrick Wicklund	D	14531
State Representative	7	Jack Miller	D	17327	State Senator	14		Bill Hinkle	R	30004
		Bob Sump	R	33863				Leni Skarin	D	14811
		Dave Wordinger	L	1621	State Representative	14	1	Alex Deccio	R	27534
State Representative	7	Yvette Joseph	D	17422				Don Hinman	D	14799
		Joel Kretz	R	32578	State Representative	14	2	Mary Skinner	R	27457
State Senator	8	John David	D	15486				Clarence Gipson	D	13705
		Jerome Delvin	R	37360				Jim Clements	R	28349

State Representative	15	1	Bruce Chandler	R	29067	State Representative	23	2	Dan Goebel	L	1,502
State Representative	15	2	Michael H. Kepcha	D	11491	State Representative	23	2	Terry Ducheane	D	26144
State Senator	16		Dan Newhouse	R	24035	State Senator	24		Beverly Woods	R	34,883
State Representative	16	1	Rebecca Francik	D	14807	State Representative	24	1	Jim Hargrove	D	48379
State Representative	16	1	Mike Hewitt	R	29845	State Representative	24	1	Kevin Van De Wege	D	31432
State Representative	16	1	Jim Barnett	D	15604	State Representative	24	2	Jim Buck	R	32939
State Representative	16	2	Maureen Walsh	R	27485	State Representative	24	2	Lynn Kessler	D	47728
State Representative	16	2	Bill Grant	D	25514	State Senator	25		Jim Kastama	D	30521
State Senator	17		Nathan (Nate) Brook	R	18177	State Representative	25	1	Rose Hill	R	25622
State Senator	17		Paul Waadevig	D	23193	State Representative	25	1	Ron Morris	D	24287
State Representative	17	1	Don Benton	R	29563	State Representative	25	2	Joyce McDonald	R	31,054
State Representative	17	1	Pat Campbell	D	23317	State Representative	25	2	Dawn Morrell	D	29935
State Representative	17	2	Jim Dunn	R	28405	State Representative	26	1	Michele Smith	R	25,478
State Representative	17	2	Deb Wallace	D	27526	State Representative	26	1	Patricia Lantz	D	29788
State Senator	18		Roy Rhine	R	24340	State Representative	26	2	Matt Rice	R	29427
State Representative	18	1	Dave Seabrook	D	29745	State Representative	26	2	Ted Haley	L	1782
State Representative	18	1	Joseph Zarelli	R	34706	State Representative	26	2	Derek Kilmer	D	30245
State Representative	18	1	Pam Brokaw	D	27330	State Senator	27		Lois McMahan	R	29236
State Representative	18	2	Richard Curtis	R	35500	State Senator	27		Ed Jurkovskis	L	1324
State Representative	18	2	Brian Beecher	D	24981	State Representative	27	1	Debbie Regala	D	32,344
State Senator	19		Ed Orcutt	R	37408	State Representative	27	1	Kim Wheeler	R	13,897
State Representative	19	1	Mark L. Doumit	D	39470	State Representative	27	1	Dennis Flannigan	D	36,661
State Representative	19	1	Brian Hatfield	D	39239	State Representative	27	2	Jeannie Darneille	D	31,954
State Representative	19	2	Brian Blake	D	38028	State Senator	28		Ian Foraker	R	13,644
State Senator	20		Chuck Bojarski	D	19238	State Senator	28		Helen McGovern	D	22,903
State Representative	20	1	Dan Swecker	R	35372	State Representative	28	1	Mike Carrell	R	25,159
State Representative	20	1	Joel W. Staloch	D	20650	State Representative	28	1	Debi Srail	D	21,892
State Representative	20	2	Richard DeBolt	R	33515	State Representative	28	2	Georganne "Gigi" Talcott	R	25,729
State Representative	20	2	Gary Alexander	R	41293	State Representative	28	2	Tami Green	D	23,697
State Representative	21	1	Mary Helen Roberts	D	32800	State Representative	29	1	Bob Lawrence	R	23462
State Representative	21	1	Roger S. "Cowboy" Wilson	R	16419	State Representative	29	1	Steve Conway	D	28,739
State Representative	21	2	Stephen Cornell	L	1221	State Representative	29	2	Steve Kirby	D	28663
State Representative	21	2	Brian Sullivan	D	33743	State Representative	30	1	Mark Miloscia	D	24815
State Senator	22		Alan D. Tagle	R	17002	State Representative	30	1	Tony Moore	R	18,743
State Representative	22	1	Karen Fraser	D	44695	State Representative	30	1	Robert Brengman	L	1,085
State Representative	22	1	Brendan Williams	D	34486	State Representative	30	2	Joe Henry	D	19,790
State Representative	22	2	Ann Burgman	R	22886	State Representative	30	2	Skip Priest	R	23,111
State Representative	22	2	Sam Hunt	D	43016	State Representative	31	1	Jonathan Wright	L	1416
State Senator	23		Phil Rockefeller	D	36,150	State Representative	31	1	Dan Roach	R	41041
State Representative	23	1	Doug Kitchens	R	25814	State Representative	31	2	Jan Shabro	R	40410
State Representative	23	1	Sherry Appleton	D	34,323	State Representative	32	1	Maralyn Chase	D	44809
			Frank Mahaffay	R	25,878	State Representative					

State Representative	32	1	Ruth Kagi	D	37038			Jim Hom	R	29,984	
			Margaret R. Wiggins	R	19550	State Representative	41	1	Lance Ramsay	D	26,218
			Gordon W. Bohnke	L	1897			Fred Jarrett	R	33,581	
State Representative	33	1	Shay Schual-Berke	D	26580	State Representative	41	2	Judy Clibbom	D	35,457
State Representative	33	2	Bruce Elliott	R	14,471			Fawn Spady	R	25,625	
State Representative	33	2	Dave Upthegrove	D	31184			Brian Reilly	L	1,685	
State Representative	34	1	Eileen L. Cody	D	42,369	State Representative	42	1	Robin E. Bailey	D	24,471
			Savun Neang	R	11,712			Doug Ericksen	R	33,452	
			Bud Shasteen	L	2317	State Representative	42	2	Kelli Linville	D	33,596
State Representative	34	2	Joe McDermott	D	41960			John Hobberlin	R	24,457	
			Paul F. Byrne	R	12587	State Representative	43	1	Ed Murray	D	55,336
			Virginia Abeyta	L	2438			Zac Green	R	8,294	
State Representative	35	1	Kathy Haigh	D	42052	State Representative	43	2	Frank Chopp	D	53,515
State Representative	35	2	"William ""Ike"" Eickmeyer"	D	32655			Mark Griswold	R	9,586	
			Bob Benze	R	23007	State Representative	44	1	Hans Dunshee	D	33,010
State Representative	36	1	Helen Sommers	D	54921			Mike Hope	R	27,957	
			Floyd Loomis	R	11,791	State Representative	44	2	John Lovick	D	34,903
			John Palmer	L	3091			Stephen E. West	R	24,444	
State Representative	36		Mary Lou Dickerson	D	59,188	State Representative	45	1	Robert E. Adair	D	24,074
			Don Zeek	L	6797			Toby Nixon	R	34,464	
State Representative	37	1	Sharon Tomiko Santos	D	40192	State Representative	45	2	Larry Springer	D	30,500
			Kwame Wyking	R	5508			Jeffrey Possinger	R	27,465	
State Representative	37	2	Eric Pettigrew	D	38755			Miles F. Holden	L	1,462	
			Aaron Alberg	R	6558	State Representative	46	1	Jim McIntire	D	44,410
State Senator	38		Jean Berkey	D	28,202			Brien L. Downie	R	10,438	
			Tim Hanley	R	14962			Mack J.T.	L	1280	
State Representative	38	1	John McCoy	D	23663			Barnette			
			Kim Halvorson	R	20,247	State Representative	46	2	Chris LaRoche	G	5,700
State Representative	38	2	Mike Sells	D	25,142			Phyllis G. Kenney	D	50,007	
			Erv Hogle	R	18464			Gary Stute	L	6,927	
State Senator	39		Susanne Olson	D	25146	State Representative	47	1	Geoff Simpson	D	26,152
			Val Stevens	R	29741			Steve Altick	R	23,396	
State Representative	39	1	Joel Selling	D	23671			Duane Grindstaff	L	952	
			Dan Kristiansen	R	30443	State Representative	47	2	Pat Sullivan	D	26,173
State Representative	39	2	Pedro Gonzales	D	21960			Jack D. Cairnes	R	22,446	
			Kirk Pearson	R	32344			Kelly Guthridge	L	1,421	
State Senator	40		Harriet A. Spanel	D	37573	State Representative	48	1	Ross Hunter	D	30,095
			Gerald Baron	R	23514			James Whitfield	R	22,613	
State Representative	40	1	Dave Quall	D	44630	State Representative	48	2	Debi Golden	D	24,834
State Representative	40	2	Jeff Morris	D	44219			Rodney Tom	R	26,650	
State Senator	41		Brian Weinstein	D	32,473	State Senator	49		Craig Pridemore	D	24,470
								Don Carlson	R	23,829	

State Representative	49	1	Bill Fromhold	D	29,106
			Justin Riley	R	17,591
State Representative	49	2	Jim Moeller	D	27930
			Mike W. Smith	R	18416

San Juan	5,872	3,660	320	7
Skagit	23,250	27,219	1,264	41
Skamania	2,233	2,525	178	0
Snohomish	139,189	145,628	6,861	281
Spokane	90,581	105,584	3,881	152
Stevens	6,992	12,295	566	0
Thurston	58,970	49,426	2,575	0
Wahkiakum	993	1,099	61	6
Walla Walla	8,008	14,290	378	26
Whatcom	44,072	42,000	2,179	0
Whitman	7,722	9,365	457	10
Yakima	24,755	46,079	1,351	58
Totals	1373361	1373232	63465	2618

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the state of Washington, this 30<sup>th</sup> day of November, 2004.

SAM REED  
Secretary of State

Mr. Speaker:

I, Sam Reed, pursuant to RCW 29A.64.061, do hereby file this amended abstract of the results for the Office of Governor at the November 2, 2004 general election. This amended abstract of votes is the result of a requested statewide hand recount of ballots cast for that office. Attached is a summary of the results as certified and transmitted by the county canvassing boards for the thirty-nine counties of the State of Washington pursuant to RCW 29A.64.061 and RCW 29A.64.070.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington this 30th day of December, 2004.

SAM REED  
Secretary of State

**SPEAKER'S REMARKS**

Speaker Chopp: "For the members information we'll spend approximately an hour on the issue before us prior to hearing the State of the State Address from Governor Locke. We have worked with the four caucuses involved here on the order of speakers and we will rotate between the four caucuses. While there are strong viewpoints on the issue before us I trust every member of the legislature will uphold the decorum of the institution and I very much thank you in advance for respectful consideration."

**MANUAL RECOUNT RESULTS BY COUNTY  
NOVEMBER 2, 2004 GENERAL ELECTION**

County	Christine Gregoire Manual Recount	Dino Rossi Manual Recount	Ruth Bennett Manual Recount	Write-Ins
Adams	1,529	3,481	81	2
Asotin	3,530	4,914	193	0
Benton	19,834	44,895	1,118	0
Chelan	10,077	18,438	523	14
Clallam	16,230	18,836	920	0
Clark	72,828	85,924	4,123	3
Columbia	671	1,371	37	4
Cowlitz	20,204	20,045	1,094	36
Douglas	4,360	8,667	219	18
Ferry	1,278	1,900	118	3
Franklin	4,977	10,634	227	8
Garfield	428	840	25	2
Grant	7,821	17,431	535	0
Grays Harbor	13,729	13,457	575	31
Island	16,895	20,000	814	0
Jefferson	10,650	7,295	466	18
King	506,194	351,306	18,952	1,363
Kitsap	56,236	57,775	3,097	174
Kittitas	6,125	9,567	277	12
Klickitat	3,919	4,767	265	5
Lewis	10,247	20,851	757	0
Lincoln	1,850	3,686	100	0
Mason	11,797	12,519	680	0
Okanogan	6,107	9,460	468	0
Pacific	5,210	4,730	296	0
Pend Oreille	2,567	3,368	179	3
Pierce	145,431	157,905	7,255	341

**MOTION**

Representative Armstrong moved that further consideration of the vote for the Office of Governor be deferred until Tuesday, January 25<sup>th</sup>, the 16<sup>th</sup> Legislative Day.

Representative Armstrong, Senator Johnson, Representative Priest, Senator Parlette, Representative Shabro, Senator Schmidt and Representative Rodne spoke in favor of the motion.

Representative Kessler, Senator Hargrove, Representative Dunshee, Senator Kastama, Representative Darneille, Senator Rockefeller and Representative Morris spoke against the motion.

**POINT OF ORDER**

Representative DeBolt: "Mr. Speaker, I feel that he's impugning the body because this is not a partisan issue. This is an issue that is taken up with every citizen of the State."

Representative Morris continued to speak against the motion.



Senator Roach spoke in favor of the motion.

#### **POINT OF ORDER**

Representative Schual-Berke: "I rise to a point of order, Mr. Speaker. I am concerned that I am hearing the good lady impugning the motives and behavior of other elected officials."

Senator Roach continued to speak in favor of the motion.

#### **POINT OF PARLIAMENTARY INQUIRY**

Senator Esser: " Mr. Speaker, could you please tell the body how many votes from each chamber, the Senate and the House, will be needed for this motion to carry?"

#### **SPEAKER'S RULING**

Speaker Chopp: "Neither the Joint Rules adopted by the House and Senate, nor Reed's Rules, which the House and Senate separately rely upon for guidance in answering parliamentary questions, address the issue of voting in a joint session.

The Speaker has therefore turned to several sources for guidance in deciding the standards that will govern the conduct of our joint session today.

These include Mason's Manual of Legislative Procedure, Article 3, Section 4 of our state constitution, records of a previous vote in joint session in 1941, and parliamentary common law.

Mason's, the parliamentary manual of the 49 other state legislatures, specifies the following in section 782:

When the two houses meet in a joint session, they, in effect, merge into one house where the quorum is a majority of the members of both houses, where the votes of members of each house have equal weight, and where special rules can be adopted to govern joint sessions or they can be governed by the parliamentary common law.

Article 3, section 4 of our state constitution provides that when two or more persons for election to a state constitutional office receive the highest and equal number of votes, one of them shall be chosen by the joint vote of both houses.

The only instance of a recorded roll call vote in joint session in our state's history occurred in 1941. In that case, a motion to refer an election protest to a special committee was defeated by a vote of 15 to 30 by members of the Senate and a vote of 30 to 68 by members of the House. The journal then states that the motion "having failed to receive the constitutional majority in both the Senate and the House, was declared lost."

One could interpret this as dicta, a simple statement of fact, or as a requirement that the votes necessary for passage of a motion in joint session are a constitutional majority of the

members of the Senate plus a constitutional majority of the members of the House.

The Speaker rejects the last interpretation. It would be untenable to find that when sitting in joint session the vote of the members of one house could serve to make the vote of the members of the other house irrelevant.

The Speaker therefore finds and rules that the vote necessary to decide any question presented to the body in joint session is a majority of the combined membership of the House and Senate."

Senator Sheldon, Representative Ericksen and Senator Finkbiener spoke in favor of the motion.

Senator Brown spoke against the motion.

Representative Hunt demanded the previous question. The Speaker divided the Chamber and the demand was sustained.

#### **MOTION**

On motion of Representative Clements, Representatives Cox and Hankins were excused.

#### **POINT OF ORDER**

Senator Benton: "Reed's Rules and Senate Rules require two-thirds majority vote to limit debate. Are we operating under that assumption here today as well, and was the vote sustained by two-thirds majority?"

#### **SPEAKER'S RULING**

Speaker Chopp: "The Speaker has said by previous statement there that it just takes a majority vote to demand or determine a question in a joint session. Thank you. Your point is not well taken."

Representative Armstrong (again) spoke in favor of the motion.

The Speaker stated the question before the House to be the motion to defer further consideration of the vote for the Office of Governor until Tuesday, January 25<sup>th</sup>, the 16<sup>th</sup> Legislative Day.

The Clerk called the roll of Senate members, and the vote on the motion to defer further consideration of the vote for the Office of Governor until Tuesday, January 25<sup>th</sup>, the 16<sup>th</sup> Legislative Day, was: 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.

The Clerk called the roll of House members, and the vote on the motion to defer further consideration of the vote for the Office of Governor until Tuesday, January 25<sup>th</sup>, the 16<sup>th</sup> Legislative Day, was: Yeas - 41, Nays - 55, Absent - 0, Excused - 2

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buck, Buri, Campbell, Chandler, Clements, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Haler, Hinkle, Holmquist, Jarrett, Kretz, Kristiansen, McCune, McDonald, Newhouse, Nixon, Orcutt, Pearson, Priest, Roach, Rodne, Schindler, Serben, Shabro, Skinner, Strow, Sump, Talcott, Tom, Walsh and Woods - 41.

Voting nay: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, O'Brien, Ormsby, Pettigrew, Quall, Roberts, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, B. Sullivan, P. Sullivan, Takko, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 55.

Excused: Representatives Cox and Hankins - 2.

The motion to defer further consideration of the vote for the Office of Governor until Tuesday, January 25<sup>th</sup>, the 16<sup>th</sup> Legislative Day failed to pass by the following vote: Yeas - 65, Nays - 80, Absent - 0, Excused - 2.

Having failed to receive a majority vote of the membership of the Joint Session, the motion was declared lost.

Mr. Speaker: "In view of the election results previously read, certified to by the Secretary of State, the Joint Session now declares the following qualified citizens to be the duly elected constitutional officers of the State of Washington:

Christine Gregoire	Governor
Brad Owen	Lieutenant Governor
Sam Reed	Secretary of State
Mike Murphy	State Treasurer
Brian Sonntag	State Auditor
Rob McKenna	Attorney General
Terry Bergeson	Superintendent of Public Instruction
Mike Kreidler	Insurance Commissioner
Doug Sutherland	Commissioner of Public Lands

The Speaker and the President of the Senate are now signing the certificates of election for the duly elected constitutional officers.

Having discharged the constitutional requirement imposed upon the Speaker of the House, it is now my pleasure to call upon President of the Senate Brad Owen to preside over the Joint Session."

Mr. President: "This joint session has also been convened to receive the State of the State message from His Excellency, Governor Gary Locke, and to honor him for his many years of service to the people of Washington."

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Priest, Roberts, Strow and Williams, and Senators Esser, Johnson, Kline and Rockefeller.

The President appointed a special committee to escort the statewide elected officials to the House Chamber: Representatives Green, Kretz, McCoy and Walsh, and Senators Eide, Haugen, Hewitt and Zarelli.

The President appointed a special committee to advise His Excellency, Governor Gary Locke that the Joint Session has assembled and to escort him and Mrs. Locke from his chambers to the House Chamber: Representative Serben and P. Sullivan, and Senators Parlette and Fraser.

The Supreme Court Justices arrived, were escorted to the floor of the House Chamber and were introduced: Chief Justice Gerry L. Alexander and Justices Charles W. Johnson, Barbara A. Madsen, Richard B. Sanders, Bobbe J. Bridge, Tom Chambers, Susan J. Owens, Mary Fairhurst and Jim Johnson.

The statewide elected officials arrived, were escorted to the floor of the House Chamber and were introduced: Secretary of State Sam Reed, State Treasurer Mike Murphy, State Auditor Brian Sonntag, Superintendent of Public Instruction Terry Bergeson, Commissioner of Public Lands Doug Sutherland and Insurance Commissioner Mike Kreidler. Attorney General-elect Rob McKenna was introduced.

The President introduced the members of the Diplomatic Corps: Kim, Jae-gouk, Consul General of The Republic of Korea and Dean of the Washington Consular Corps; Victor Lapatinskas, Consul of Lithuania; Jorge Madrazo, Consul of Mexico; Miguel Angel Velasquez, Consul of Peru and Vice President of the Consular Association of Washington; Dennis Leith, Her Majesty's Consul, United Kingdom; and Robert Chen, Director General, Taipei Economic and Cultural Office.

The Governor and Mrs. Locke arrived, were escorted to the Rostrum of the House and were introduced.

The flags were escorted to the rostrum by the Washington National Guard Joint Color Guard. The President led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Jim Erlandson, Community of Christ, Olympia.

Reverend Erlandson: "Gracious Creator, we come before You giving reverence to You and the gifts You have given to us. We are a most fortunate people. We celebrate the beauty of our natural environment, the heritage of our mothers and fathers who pioneered this extraordinary part of the world, the liberty ensured us by our government, of the people, by the people and for the people. We give thanks to You for this awesome gift.

As this legislature of the State of Washington begins its 59<sup>th</sup> session, we come to You for Your blessing over this difficult and valuable endeavor. The women and men who have accepted responsibility for the governance of this state come here through much sacrifice and with positive intent to serve their neighbors and constituents wisely and honorably.

Gift them with clear vision to see to the depth of the issues with which they deal. Gift them with patience and tolerance that they might work together productively, governing with a spirit of cooperation for the common good. Provide them with strength to conquer the long days and nights of work and stress. Protect them in their travels and watch over their families while they serve their community.

Divine One, please bless this assembly and all those who work and support it, that the fruit of their labors may be bountiful and that the course set here may lead this state to even greater prosperity.

We pray humbly, Amen."

President Owen: "Before I introduce the Governor I want to say how much we will miss the incredible First Lady we have had in the State of Washington. Her assistance with children's issues, her support of the Governor on education, the things that she has done throughout his term of office and how she always comes in and brightens up a room. Ladies and Gentlemen, I would like to present to you, Mona Locke.

It is my distinct pleasure to introduce our Governor. He was an Eagle Scout, he had a distinguished career in public service prior to becoming the Governor, and he's been an excellent father to Emily, Dylan and now Madeline. We've had those times when we've been working brightened when he's brought the children into the Chamber. That was always a wonderful addition to the process and helps us focus on what we are doing here. It's my great honor to introduce His Excellency Governor Gary Locke."

#### **STATE OF THE STATE ADDRESS**

Governor Locke: "Mr. President, Mr. Speaker, Honorable Chief Justice, distinguished Justices of the Washington State Supreme Court, statewide elected officials, members of the Washington State Legislature, members of the Consular Association, and people of our great state of Washington: It's

been an honor and privilege to serve as governor these past eight years.

My service has been made possible by my family members' love and encouragement. I want to acknowledge them: My father, Jimmy Locke; my mother, Julie; my sister Marian Monwai and her husband Peter; my sister Jannie Chow and her husband Eddie; my brother Jeffrey Locke and his wife Doris; my sister Rita Yoshihara and her husband Joe; and my brother-in-law Judd Lee.

And it is with great pleasure and honor that I recognize and acknowledge my wife, Mona.

Mona has been a tremendous First Lady for the state of Washington, as well as a loving, supportive wife, and an amazing, nurturing mother. She has been a dedicated champion for families and children across our state, especially in the area of early learning. She co-chaired the Governor's Commission on Early Learning and later helped establish a separate 501(c)(3) non-profit Foundation for Early Learning. She also spearheaded the Computers for Kids program, where Department of Corrections inmates have refurbished 20,000 surplus computers and donated them to schools across the state.

I'm not the only one saying goodbye today. Mona and I are leaving a city we truly love. And our children Emily, Dylan and Madeline are leaving the only town and only home they have ever known. We will all miss Olympia very much.

It was 22 years ago yesterday that I was sworn in as a member of the state House of Representatives. I sat where Representative Judy Clibborn now sits. And I can still spot a few of the people that were here when I started. Public service has been my life and my passion.

I am very proud of the progress we've made during my two terms as governor of the great state of Washington. From raising academic achievement to increasing family wage jobs; from restoring wild salmon runs to increasing sales of Washington agricultural harvests to foreign markets; from streamlining regulations to improving services to Washington citizens.

I'm especially proud because we've faced some formidable challenges. Challenges that seemed to come from every direction. A major earthquake. An energy crisis. Droughts. September 11th, and the constant challenge of improving homeland security. We survived, we rebounded, and we're charging ahead.

Just a couple of years ago, we were in the depths of some very tough economic times. We faced serious state budget shortfalls like 47 other states across America. Significant decisions had to be made, and we made them, using our Priorities of Government budgeting approach – an approach that should still be used regardless of the amount of resources available.

Now Washington state is showing clear signs of a strong economic recovery that is broad, deep and all across our state. Our unemployment rate has dropped by almost two percentage points since a year ago, twice as fast as the rest of America. We've gone in a short time from one of the highest

unemployment rates in America to close to the national average! The new jobs that are being created are good jobs, too, paying much more than new jobs elsewhere in the nation.

It's policies we have enacted together that have helped spur this recovery, creating thousands of private sector jobs. Policies like:

- incentives for businesses to locate in rural Washington,
- the transportation improvement package,
- and the acceleration of state construction projects.

We have Washington on track for a very bright future.

During my inaugural address in 1997 I shared with you the story of my family. My grandfather's work as a houseboy here in Olympia, receiving English lessons in exchange for his labor. My father's service in World War II and his participation in the Normandy invasion. My mother's wonderful work raising five children and learning English so she could become a US citizen – at the same time I was learning English in kindergarten.

I was struck on that first inaugural day that – after nearly one hundred years and three generations – my family had traveled the mile from the house where my Grandfather worked to the Governor's mansion. As I finish my term here at the end of that century mile, I am humbled to know that it was made possible by the hard work of so many members of the Locke family.

I will always remember my parents impressing upon us kids the values they felt were critical to a successful life: get a good education, work hard, and take care of others. They are the principles that I promised to uphold eight years ago. They are the principles that have guided my decisions during all my years as governor.

I have worked to ensure that Washington is a state that provides a quality education, creates opportunities for individuals who want to work hard, and takes care of its own. A state where individuals are given not only a chance to achieve success, but also the tools they need to flourish.

The most important tool we can provide is a quality education. As you've heard me say so many times, and as many of you have now begin to chant, education is the great equalizer. It offers opportunity and hope to all it touches. It is the key to a vital economy. It is the key to an enriching future for our children.

We've made great strides in raising academic achievement during the past seven years. In fact, our kids are making some of the biggest academic gains in America! This year's WASL results are proof. In 1997, only 48 percent of 4th graders met the state reading standard. This year, 74 percent passed. And in math, in 1997, 21 percent of 4th graders met the standard. This year, 60 percent passed.

There are other measures of success for Washington's schools. In states with similar numbers of students taking the test, Washington ranks FIRST in both math and verbal scores! And our students ranked third on the ACT college readiness exam, which is used by many of the private colleges in America. I am especially proud that Washington led the nation last year in reading scores for African-American fourth

graders. African-American eighth graders in Washington scored better in math than in all but three states. We are closing the achievement gap.

But we know much more must be done in this area. We must continue to provide extra assistance to struggling schools and struggling students.

We have set high, rigorous standards for academic achievement for all students. Our standards are higher than most other states, because we know these are the skills students need to be successful in this global, high-tech, 21st century economy. And our students are still meeting these higher goals at a greater rate than those in the states with lower standards. We must stay the course. So we can't turn back and lower our standards or abandon these reforms. We must stay the course. There is too much at stake.

Our success in education is a product of the hard work of our students and the dedication of teachers, parents, and community members. We can't thank or reward our educators enough for nurturing, inspiring and molding our children. They deserve our recognition.

And in higher education, there are 17,000 more students attending our colleges and universities a year ago than seven years ago.

We have established many significant, life-changing programs, like our Promise Scholarships, which help high achieving students from middle and low-income families realize the American Dream of a college education. We developed Kindergarten Readiness Guidelines, working with the Superintendent of Public Instruction, recognizing that education begins at birth. And we have expanded job training and retraining programs, because we must also view education as life-long, continuing even through our adult and working years.

With record high school graduations over the next few years, we must add enrollments to our colleges and universities. Because tuition only provides a small amount of a university's budget, without extra dollars we will have to turn students away. As our economy improves, we want our kids to fill these new jobs, instead of businesses needing to hire workers from out of state. Education sets the foundation for individuals to succeed.

And with hard work a good, family-wage job should be the payoff. To ensure that such jobs are available, we must keep the businesses we have and attract new ones to our state. We must continue to cultivate a healthy, dynamic business climate. And we must also make sure that our workforce is protected and fairly compensated. The hard work of our labor force should not be exploited for the gain of a few, but instead for the profit of employers, employees, and society as a whole.

In just the last two years, nine national companies have chosen Washington over Oregon, Idaho and even California for major facilities, employing thousands. And Boeing airplanes still mean "Made in Washington." This is because the state of Washington is known for its innovation, competitiveness, quality of life and entrepreneurial spirit.

Recent studies by independent organizations confirm our success in improving our business climate. The Small Business Entrepreneurial Council ranked Washington the 4th friendliest business environment in the nation. A study by the conservative, anti-tax, Tax Foundation ranked Washington as having the ninth most business friendly tax climate.

Unfortunately, not all Washingtonians possess the capacity to support themselves. Some are physically sick, developmentally disabled or suffer from mental illness. Others have worked hard their entire lives, but have reached their retirement years and need a little extra help. And many children, through no fault of their own, are living in intolerable conditions.

It is our responsibility, as individuals and government, to help those who are in need. Even through tough budget times, we have maintained a safety net for those who are unable to take care of themselves, whether in institutions or community settings.

I am proud that we have taken great strides in broadening access to health care. We're one of the few states in the nation that provides health care to children from families with incomes up to 250% of the poverty level. Most states only provide up to 200 percent of the poverty level. We've made it convenient for seniors to purchase low-cost, American-made prescription drugs from Canada. And we're the only state with a real commitment to providing decent housing for migrant farm workers who harvest the food we put on our tables.

And if we are to continue our success in helping families move off of public assistance and become self-sufficient, we must maintain the emphasis on affordable child care and quality job training programs. It is one thing to be governor and guide the policies of state government. But it is the people who work in our agencies every day who really make government work. It's been my honor to work with so many incredibly talented, dedicated individuals in our state agencies – our directors, managers, line staff and members of the Governor's Office. Many of our state agencies have been ranked the very best in their respective fields. Many of our agency directors are leaders in their national associations. And they have each held themselves to the highest ethical standards.

The quality of our leaders is reflected in national rankings. And in the two evaluations done since I took office, *Governing Magazine* and Cornell University have each time named Washington among the four best-managed states in America.

No one goes into public service to get rich. Instead, the payoff is that every day you have the opportunity to help someone achieve a better life, whether it is helping someone in finding a job or finding loving, adoptive parents for an abandoned child.

It is important that in the politics of governing we not forget to recognize the dedication of these individuals, these great public servants, the public employees of the state of Washington. I thank our public employees for the outstanding work they do to promote the welfare of our state.

But government can only do so much. Our society depends on dedicated volunteers who give of their time and energy across our state. So many individuals and organizations put in countless hours volunteering in hospitals, schools, nursing homes, and other places of need. For example, in 1998, Superintendent of Public Instruction Terry Bergeson and I created the Washington Reading Corps for struggling readers in our elementary schools.

Since its inception, 75,000 struggling readers have made phenomenal reading progress thanks to 50,000 volunteer tutors. And our state's volunteer spirit has never been more evident than in recent weeks as individuals, businesses and non-profit organizations throughout our state have risen to the challenge of helping the tsunami victims in South Asia.

But there is always more that can be done. I encourage everyone in our state to share their gifts with their communities – to help take care of others. Take some time to help those who need assistance. Participate in the preservation and cleanup of our natural environment. Fight for the rights of oppressed groups in our society. Invest your time on behalf of others.

Our state is so diverse – in its geography, climate, culture, industries and communities. From Forks to Walla Walla; Point Roberts to Vancouver; and Long Beach to Colville – the people of this state possess a shared, irrepressible spirit. We all have a common goal: a strong and prosperous Washington, where everyone has a chance to succeed. I call upon the Legislature, the next governor, and all the people of our state to pull together to achieve this goal. My administration leaves you a stronger, healthier state poised for even greater things.

Eight years ago I was blessed with two titles of immense honor and responsibility: Governor, and a few months later, Dad. One title ends tomorrow. The other lasts forever.

Emily will soon turn 8. She misses her friends in Olympia very, very much. Dylan will soon turn 6. And Madeline is just 2 months old! Doesn't she have a lot of hair? Mona and I have been so touched all these years by the warmth, graciousness and well wishes of people all across our state. The books and quilts for the children and the letters, cards and emails. We can't thank you enough.

As we begin a new chapter of our life, Mona, myself, Emily, Dylan, and Madeline leave office with cherished memories that are sure to last at least through the next 100-year journey. Our family has been so blessed. We thank you from the bottom of our hearts – for the incredible privilege and honor – of serving you, the people of the state of Washington – for the opportunity to make Washington an even greater place to live, work and raise a family. Thank you very much. God Bless you all."

President Owen: "Governor, thank you for your excellent remarks.

The Governor has signed a document making a number of people in the State Washington Generals. Years ago, Lieutenant Governor John Cherberg, who served for thirty-two years, the longest serving Lieutenant Governor in the history of the nation, created the Washington Generals. We are now

trying to raise the level of awareness on the work that they do – a charitable organization. We recently learned that Governor Locke is not a Washington General. Chuck Hardaway, Commanding General of the Washington Generals, if you would come forward and Governor, we would like to bestow upon you that of which you have bestowed upon many – the rank of Washington General. We know that you will be promoting the State of Washington in your years to come and we want to recognize your tremendous service to the people of the great State of Washington."

The House and Senate presented the Governor with a framed photo of the Governor's Mansion.

The President requested that the special committee come forward and escort His Excellency the Governor, Mrs Locke and Emily, Dylan and Madeline Locke from the Rostrum.

The President requested that the special committee come forward and escort the statewide elected officials from the Chamber.

The President requested that the special committee come forward and escort the Supreme Court Justices from the Chamber.

On motion of Representative Kessler, the joint session was dissolved. President Owen thanked the House for its hospitality. The President called upon Speaker Chopp to preside.

The Speaker requested the Sergeant at Arms to escort President Owen and the Senators from the Chamber.

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

MOTION

On motion of Representative Kessler, the House adjourned until 9:55 a.m., January 12, 2005, the 3<sup>rd</sup> Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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1037 Introduction & 1st Reading . . . . . 2

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1039 Introduction & 1st Reading . . . . . 2

1040 Introduction & 1st Reading . . . . . 2

1041 Introduction & 1st Reading . . . . . 2

1042 Introduction & 1st Reading . . . . . 2

1043 Introduction & 1st Reading . . . . . 3

1044 Introduction & 1st Reading . . . . . 3

1045 Introduction & 1st Reading . . . . . 3

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