

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

SECOND DAY

NOON SESSION

Senate Chamber, Olympia, Tuesday, January 9, 2007

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

MOTION

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

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 5, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JONE BOSWORTH, appointed September 11, 2006, for the term ending at the governor's pleasure, as a Director of the Washington State Department of Early Learning.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

December 6, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MIKE BRASFIELD, reappointed December 6, 2006, for the term ending August 2, 2009, as Member of the Sentencing Guidelines Commission.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Judiciary.

October 4, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SUSAN COLE, appointed October 1, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, Community College District No. 21 (Whatcom Community College).

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education.

December 6, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELLEN FAIR, reappointed December 6, 2006, for the term ending August 2, 2009, as Member of the Sentencing Guidelines Commission.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Judiciary.

January 3, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LEONOR FULLER, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, South Puget Sound Community College District No. 24.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education.

December 14, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ERIC LIU, reappointed February 1, 2007, for the term ending January 30, 2011, as Member of the State Board of Education.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

December 14, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KRISTINA MAYER, reappointed February 1, 2007, for the term ending January 30, 2011, as Member of the State Board of Education.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

January 4, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

PATRICK J. OSHIE, reappointed January 2, 2007, for the term ending January 1, 2013, as Member of the Utilities and Transportation Commission.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Water, Energy & Telecommunications.

December 15, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

I have the honor to submit the following appointment, subject to your confirmation.

WILLIAM SNYDER, appointed December 14, 2006, for the term ending December 31, 2007, as Member of the Board of Pilotage Commissioners.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Transportation.

MOTION

On motion of Senator Eide, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

January 9, 2007

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8400

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 5044 by Senators Weinstein, Oemig, Franklin, Rockefeller, Fraser, Brown, Kauffman, Rasmussen, Keiser, Regala, Jacobsen, McAuliffe and Kohl-Welles

AN ACT Relating to the real property statute of repose; and amending RCW 4.16.310.

Referred to Committee on Judiciary.

SB 5045 by Senators Weinstein, Fairley, Oemig, Franklin, Regala, Fraser, Kauffman, Pridemore, Haugen, Keiser, Spanel, Jacobsen and Kohl-Welles

AN ACT Relating to contractor licensing; amending RCW 18.27.010, 18.27.020, 18.27.030, 18.27.040, 18.27.065, 18.27.070, 18.27.075, 18.27.080, 18.27.090, 18.27.100, 18.27.104, 18.27.110, 18.27.114, 18.27.117, 18.27.120, 18.27.130, 18.27.200, 18.27.210, 18.27.225, 18.27.270, 18.27.310, 18.27.320, 18.27.340, 18.27.342, 18.27.360, 18.27.370, 18.100.140, 18.106.020, 18.106.180, 18.106.250, 18.160.030, 19.28.051, 19.28.191, 19.28.420, 19.158.020, 39.04.155, 39.06.010, 49.26.100, 50.04.145, 50.24.130, 51.08.070, 51.08.180, 51.12.070, 51.12.120, 60.04.011, 60.04.041, 70.87.220, and 70.87.240; reenacting and amending RCW 19.28.161; adding new sections to chapter 18.27 RCW; creating a new section; and providing an effective date.

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

SB 5046 by Senators Weinstein, Fairley, Regala, Oemig, Keiser, Fraser, Jacobsen, McAuliffe, Kohl-Welles and Kline

AN ACT Relating to creating a cause of action for defects in construction on a residence; and adding new sections to chapter 4.24 RCW.

Referred to Committee on Consumer Protection & Housing.

SB 5047 by Senators Weinstein, Franklin, Kauffman, Rockefeller, Fraser, Pridemore, Jacobsen, Kohl-Welles and Kline

AN ACT Relating to contractor's surety bonds; and amending RCW 18.27.040.

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

SB 5048 by Senators Weinstein, Kauffman, Brown, Eide, Pridemore, Fraser, Franklin, Rockefeller, Murray, Keiser, Oemig, Regala, Jacobsen, Kohl-Welles and Kline

AN ACT Relating to tolling the statute of limitations for construction defect actions; and amending RCW 64.50.020.

Referred to Committee on Consumer Protection & Housing.

SB 5049 by Senators Weinstein, Jacobsen, Kohl-Welles and Kline

AN ACT Relating to new home warranties; amending RCW 4.16.300; and adding a new chapter to Title 64 RCW.

Referred to Committee on Consumer Protection & Housing.

SB 5050 by Senators Weinstein, Franklin, Kauffman, Rockefeller, Oemig, Murray, Rasmussen, Keiser and Kohl-Welles

AN ACT Relating to mileage tolling of nonconforming vehicles; and amending RCW 19.118.041.

Referred to Committee on Consumer Protection & Housing.

SB 5051 by Senators Weinstein, Oemig, Kauffman, Jacobsen, Shin and Kohl-Welles

AN ACT Relating to scholar's designations on high school transcripts; amending RCW 28A.655.061; and reenacting and amending RCW 28A.230.125.

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

SB 5052 by Senators Eide, Roach, Franklin, Hobbs, Fairley, Kastama, Prentice, Jacobsen, Shin and Parlette

AN ACT Relating to auto glass repair and third party administrators; adding a new section to chapter 48.30 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

SB 5053 by Senators Keiser, Kohl-Welles and Kline

AN ACT Relating to creating the office of the ombudsman for workers of industrial insurance self-insured employers;

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

amending RCW 51.44.150; and adding new sections to chapter 51.14 RCW.

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

SB 5054 by Senators Kastama, Haugen, Fairley, Roach, Kline and Kilmer

AN ACT Relating to emergency workers; amending RCW 38.52.010 and 38.52.180; and repealing RCW 38.52.570.

Referred to Committee on Government Operations & Elections.

SB 5055 by Senators Prentice, Kohl-Welles, Keiser and Kline

AN ACT Relating to removing expiration dates for state consent to federal court jurisdiction in actions under the Indian gaming regulatory act; and amending RCW 9.46.36001.

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

SB 5056 by Senators Rasmussen, Schoesler, Shin, Berkey, Hatfield, Jacobsen, Haugen, Kline and Sheldon

AN ACT Relating to the small farm direct marketing assistance program; and amending RCW 15.64.050.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5057 by Senators Rasmussen, Schoesler, Shin, Hatfield and Jacobsen

AN ACT Relating to the regulation of food lockers; amending RCW 19.02.110 and 43.70.900; and repealing RCW 19.32.005, 19.32.010, 19.32.020, 19.32.030, 19.32.040, 19.32.050, 19.32.055, 19.32.060, 19.32.090, 19.32.100, 19.32.110, 19.32.150, 19.32.160, 19.32.165, 19.32.170, 19.32.180, and 19.32.900.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5058 by Senators Marr, McCaslin, Brown, Parlette, Haugen, Shin, Murray and Roach

AN ACT Relating to establishing the eastern Washington state veterans' cemetery; adding a new section to chapter 72.36 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5059 by Senators Honeyford and Schoesler

AN ACT Relating to the business and occupation tax rate for custom farming services; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5060 by Senators Honeyford, Schoesler and Sheldon

AN ACT Relating to attempting to elude a pursuing police vehicle; reenacting and amending RCW 9.94A.515; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

SB 5061 by Senators Honeyford, Schoesler and Sheldon

AN ACT Relating to taking a motor vehicle without permission; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5062 by Senators Prentice, Rasmussen, Honeyford, Schoesler, Franklin, Shin and Roach

AN ACT Relating to membership in plan 1 of the public employees' retirement system; adding a new section to chapter 41.40 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5063 by Senators Kohl-Welles, Fairley, Rockefeller, Kline, Schoesler, Keiser, Parlette, Kauffman, Fraser and Shin

AN ACT Relating to removing gender references; amending RCW 41.08.020, 41.08.030, 41.08.075, 41.08.080, 41.08.090, 41.08.100, 41.08.150, 41.08.220, 41.12.020, 41.12.030, 41.12.075, 41.12.080, 41.12.090, 41.12.100, 41.12.150, 41.12.220, 41.16.010, 41.16.020, 41.16.030, 41.16.040, 41.16.050, 41.16.070, 41.16.080, 41.16.100, 41.16.110, 41.16.120, 41.16.130, 41.16.140, 41.16.145, 41.16.150, 41.16.160, 41.16.170, 41.16.180, 41.16.190, 41.16.200, 41.16.210, 41.16.220, 41.16.230, 41.16.250, 41.18.010, 41.18.015, 41.18.020, 41.18.030, 41.18.040, 41.18.045, 41.18.050, 41.18.060, 41.18.080, 41.18.090, 41.18.100, 41.18.102, 41.18.130, 41.18.140, 41.18.150, 41.18.160, 41.18.165, 41.18.170, 41.18.180, 41.18.190, and 41.18.210; and creating a new section.

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

SB 5064 by Senators Jacobsen and Haugen

AN ACT Relating to the state oak tree; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5065 by Senator Jacobsen

AN ACT Relating to interchange and associated fees; amending RCW 63.14.010; and adding a new section to chapter 63.14 RCW.

Referred to Committee on Financial Institutions & Insurance.

SB 5066 by Senator Jacobsen

AN ACT Relating to animal protection orders; and amending RCW 26.50.070.

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

Referred to Committee on Judiciary.

AFTERNOON SESSIONSB 5067 by Senator Jacobsen

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

Referred to Committee on Transportation.

SB 5068 by Senator Jacobsen

AN ACT Relating to creating an international airport expedited security screening task force; and creating new sections.

Referred to Committee on Transportation.

SB 5069 by Senators Prentice, Regala, Tom, Kauffman, Oemig, Hobbs, McAuliffe, Kline, Jacobsen, Keiser and Kohl-Welles

AN ACT Relating to retirement benefits for domestic partners; amending RCW 2.10.030, 2.12.030, 2.12.048, 2.14.110, 28B.10.400, 28B.10.431, 41.20.085, 41.24.180, 41.26.030, 41.26.030, 41.26.090, 41.26.160, 41.26.161, 41.26.460, 41.26.470, 41.26.510, 41.26.520, 41.32.260, 41.32.520, 41.32.785, 41.32.790, 41.32.805, 41.32.810, 41.32.865, 41.32.895, 41.35.010, 41.35.115, 41.35.220, 41.35.440, 41.35.460, 41.35.470, 41.35.650, 41.35.710, 41.37.010, 41.37.170, 41.37.250, 41.37.260, 41.40.010, 41.40.0931, 41.40.185, 41.40.188, 41.40.190, 41.40.220, 41.40.235, 41.40.250, 41.40.270, 41.40.660, 41.40.670, 41.40.700, 41.40.710, 41.40.805, 41.44.030, 41.40.835, 41.44.170, 41.44.190, 41.44.210, 41.44.220, 41.50.700, and 41.54.034; reenacting and amending RCW 41.24.172, 41.32.010, and 41.40.170; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SJR 8205 by Senator Jacobsen

Relating to the constitutional provisions regarding initiatives and referendums.

Referred to Committee on Government Operations & Elections.

SCR 8401 by Senators Jacobsen, Murray, Kohl-Welles and Kline

Resolving to create a state poet laureate.

Referred to Committee on Government Operations & Elections.

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. 5045 and Senate Bill No. 5047 which were referred to the Committee on Labor, Commerce, Research & Development.

MOTION

At 12:06 p.m., on motion of Senator Eide, the Senate was declared to be at recess until 4:15 p.m.

The Senate was called to order at 4:15 p.m. by President Owen.

MOTION

On motion of Senator Eide, the Senate was declared to be at ease for the purpose of Joint Session to receive the State of the State Address from Governor Gregoire.

JOINT SESSION

The Senate appeared at the Chamber doors of the House 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, President Pro Tempore Rosa Franklin and Republican Leader Mike Hewitt to seats on the Rostrum. The Senators were invited to seats within the Chamber.

The Speaker (Representative Lovick presiding) called upon President Owen to preside.

The President 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.

REMARKS BY THE PRESIDENT

President Owen: "The purpose of the Joint Session is to receive the state of the state message from Her Excellency, Governor Christine Gregoire."

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Eddy, Goodman, Hailey and Rodne, and Senators Carrell and Roach.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee to escort the statewide elected officials to the House Chamber: Representatives Dunn, Kelley, Orcutt and Seaquist, and Senators Clements and Holmquist.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee to advise Her Excellency, Governor Christine Gregoire, that the joint session had assembled and to escort her to the House Chamber: Representatives Hinkle and Van De Wege, and Senator Delvin.

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 James Johnson.

The statewide elected officials arrived, were escorted to the floor of the House and were introduced: Secretary of State Sam Reed, State Auditor Brian Sonntag, Superintendent of Public Instruction Terry Bergeson, Commissioner of Public Lands Doug Sutherland and Insurance Commissioner Mike Kreidler.

INTRODUCTION OF SPECIAL GUESTS

The President introduced the special guests present in the gallery: Former Governors Booth Gardner and Mike Lowry; King County Executive Ron Sims; Snohomish County Executive Aaron Reardon; the Honorable Fawn Sharp, President of the Quinault Nation; the Honorable Lee Adolph, Member of the Colville Business Council; and the Honorable Brian Cladoosby, Chairman of the Swinomish Tribe.

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

INTRODUCTION OF SPECIAL GUESTS

The President introduced the members of the Consular Corps: H. Ronald Masnik, Consul of Belgium and President of the Consular Association of Washington; Michael Virr, Consul General of Canada; Jorge Gilbert, Consul of Chile; Frank Brozovich, Consul of Croatia; Kazuo Tanaka, Consul General of Japan; Kwon, Chanho, Consul General of The Republic of Korea; Roberto Caldera, Acting Consul of Mexico; Kim Nesselquist, Consul of Norway; Alexander Doronin, Consul General of the Russian Federation; Philippe Goetschel, Consul of Switzerland; and Robert Chen, Director General, Taipei Economic and Cultural Office.

Governor Christine Gregoire and her husband Mike Gregoire and daughter Michelle Gregoire arrived, were escorted to the Rostrum and were introduced.

The flags were escorted to the rostrum by the Washington State Patrol Color Guard. Heidi Fredericks sang the National Anthem. The President led the Chamber in the Pledge of Allegiance. Prayer was offered by Rabbi Dan Bridge, Rabbi Emeritus, Hillel, Foundation for Jewish Life at the University of Washington.

Rabbi Bridge: "This week all across the world, Jews begins reading the Book of Exodus. In Hebrew, the Book is called '*Shemot*/Names' because it begins with a list of the names of the tribal leaders.

The Book of Proverbs also emphasizes the importance of names, claiming that "A good name is preferable to great riches" (Proverbs 22:1). Our name – it's how others call us – it is what defines us – and, based on the actions associated with it, our name will be the label of a positive legacy or not.

In a famous passage from the *Mishnah*, a third century legal code, we learn that 'there are three crowns – the Crown of *Torah*, the crown of the Priesthood, and the crown of Governance. But the verse concludes "the Crown of a Good Name surpasses them all."

The late political scientist, Daniel Elazar, interprets this saying – allow me to paraphrase – the Crown of Priest is worn by our spiritual leaders. The Crown of *Torah* is worn by our jurists those who interpret and teach the law to members of our society. And the Crown of *good* Governance is worn by the legislators who ensure acts of mercy in Society.

Finally we come to the conclusion of the saying, according to which *ketershem tov*, the Crown of a Good Name, stands above the other three – a reminder to all types of leaders to wear one crown above all others – the crown of character, the crown of a good name.

Governor, legislators, jurists and honored guests – it is my prayer that what begins here today – in this new year, this new session – that it will give honor to your names and will speak eloquently of your character to this and future generations. May your words lead to actions that will be a worthy legacy – not each for his or her own constituency, but rather for sake of this honorable State and for our common future.

Ken yih ratzon – may it be so."

The President introduced Governor Christine Gregoire.

STATE OF THE STATE

Governor Gregoire: "Mr. President, Mr. Speaker, Mr. Chief Justice, distinguished justices of the court, honored officials, members of the Washington State Legislature, Governor Rosellini, Governor Gardner, Governor Lowry, King County Executive Sims, Snohomish County Executive Reardon, the Honorable Brian Cladoosby, the Honorable Fawn Sharp, and the Honorable Lee Adolph, members of the Consular Association of Washington, my fellow citizens:

Good evening. It is an honor once again to stand before you and talk about the state of this great state.

Thank you, Rabbi Bridge, for starting us off this evening with the opening prayer.

Joining me at the rostrum is my husband Mike – or First Mike as he has become known. He is a Vietnam combat veteran and has spent the last two years working on veterans issues, a subject which he is passionate about. He is a great dad to our two daughters, and a great husband, who, to borrow a line, knows me best and loves me anyway.

Also joining me is my daughter, Michelle, who will graduate from college in May. She not only has gotten darn good grades, she has provided us with four great years of college soccer which we will dearly miss. Michelle, along with her older sister, Courtney, who can't be with us today, can always be counted on to keep me grounded.

I would also like to introduce Mike's mother, Mary Gregoire, and his brother, Denny, and Denny's wife, Barb Tennis.

Not joining us is our dog, Trooper. It has been a long time since Mike and I had a puppy – if you know what I mean.

Like you, my family is the center of my life, and making life better for our families is the real measure of our work here in Olympia. It has been a hard year for many Washington families as wind, fires, and floods plagued the state in an unprecedented series of natural disasters. Sadly, some families suffered the ultimate loss in 2006 when family members in the armed services, law enforcement, and firefighting lost their lives. Still others perished from natural disasters in our state. Would you please join me in a moment of silence for these individuals and their families?

Thank you.

Despite the damage from storms and fires and the terrible toll of lives lost, Washington families have a bright future. They have a bright future because we have adopted a basic principle: the status quo in Washington is not good enough. We have fought for change – responsible change. We have demanded accountability. And the results are clear. Thousands of children will have a better shot at life thanks to our new emphasis on early learning. We have kept our promise to cut class sizes in our K-12 schools. We honored the wishes of voters and approved teacher pay raises. We opened the doors to colleges and universities to more students. We promised to provide health care to more children than ever before – and we delivered. More people are working – 155,000 new jobs were created in the last two years. Exports from our trade-dependent state are up 40 percent – headed to a record \$45 billion year, and based on successes from my trade missions, I look forward to more growth in the future.

Together, we have taken steps to help forest land owners and farmers. We cut taxes on diesel fuel, farm equipment, and the timber B&O tax. Last year we promised to set aside money for the future, and we delivered. Let's deliver again this session. It is the responsible thing to do.

New 21st century industries – like a biodiesel plant in Grays Harbor – are forming. Reducing our dependence on foreign oil must be a priority.

We did what some thought was impossible – we negotiated medical malpractice reform, and patient safety has been enhanced as a result.

Together we have fought discrimination.

We passed tough new crime-fighting bills. One has helped reduce the number of meth labs by 50 percent.

We protected our children and communities by increasing sentences for sex offenders and prohibiting sex offenders from entering areas frequented by children, such as schools, parks and playgrounds.

And when law enforcement said they needed help locating sex offenders who have been released from prison, we passed tough new sex offender registration laws.

We broke a decades-long stalemate with an agreement that will provide farms, fish and communities water they desperately need from the Columbia River.

We increased access to state parks and began preparing for the centennial celebration of our parks system in 2013.

We promoted investments in renewable energy and green buildings, and we curbed auto emissions.

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

We've taken on these challenges, solved real problems for real people, demanded accountability and made the kinds of changes the state needs to continue moving families forward.

We have made real progress and we are changing the way we do business.

In the past we saw a state without a clear vision for the future. Today we see hope, opportunity and steady progress toward a secure future. In the past, we've seen partisanship, bureaucratic inertia, political caution and business as usual in Olympia. Today, together, we are fighting for change that is responsible, demands accountability, and is providing the solutions Washington needs. This is the Washington we all want.

But just in case anyone here thinks we can rest on our laurels, I have one message for you. You ain't seen nothin' yet!

We have turned the corner, but we have work to do. In too many cases we are using 20th century tools to solve 21st century problems, and nothing short of change will allow us to produce a better future for Washington families. I have traveled the state and listened to our citizens from Spokane to Everett and Vancouver to Tacoma. We all want the same things for our families – quality education, reliable health insurance, and a good job. Our challenge is to stand in the shoes of our citizens, see the future through their eyes, and find common ground that provides the change needed for a future Washington families can count on. Today I want to talk about a vision for change and an agenda that provides:

- An education system families can rely on;
- An economy that offers opportunity for family-wage jobs;
- Health insurance families can afford;
- An environment where families can thrive;
- Communities where families feel safe;

And a state government that is performance-driven and accountable to Washington's families.

I still vividly remember going to work with my mom on Saturdays at the Rainbow Café in Auburn. She was a single parent and a short order cook who never let me forget how much she loved me and taught me a lot about hard work. Mom also taught me about the importance of education, and as I think back on it, I guess she never let there be a doubt that with hard work I would be the first person in our family to get a college degree. Mom, as usual, was right, and the power of a good education is even truer today. We need an education system families can rely on to prepare their kids for the globally competitive job market of the 21st century.

That's why my number one priority this session is education. I ask that you join me in addressing this priority. The best way to grow our economy and secure a bright future for our children is to make significant investments in a renewed education system now. There is no better example of where we have held on to a 20th century system while we face 21st century problems.

We need change when about a third of our students don't complete high school and about half of our kids aren't ready to learn when they enter kindergarten. Even parents of kids who are graduating are worried. They want to know that our education system is preparing their children to compete for good jobs with students from countries like China, India, and Ireland. We have students, teachers and school administrators with the right stuff, but we have saddled them with an education system built for yesterday's needs. We must change our education system and invest in it now. For far too long our early childhood education system has fallen behind the rest of the country. Last session we began the necessary change by recognizing that our children are born ready to learn. We invested in early learning so more kids in the first five years of life have a chance to succeed in school and life.

Now let's take the next step. Let's give more kids a chance to get quality early learning opportunities so they enter kindergarten ready to learn. I am proposing we add more early learning slots for kids than we have in almost two decades. The research is clear. For every dollar we invest in early childhood education we get \$8 in return with children who are more likely to graduate from high school and college, get a good job and raise their families and less likely to get stuck in our social

service net or the criminal justice system. But perhaps the power of early learning is better expressed by a mom.

Here's what Shanta Hibbit of Seattle wrote to the Tiny Tots Development Center.

"Today is a wonderful day. My son Avery is on the pathway to Kindergarten next year. Do you know that Avery can write his full name? He is so excited about that. He shows me every chance he gets. He recognizes colors, shapes, and even speaks some Spanish. Being a single mother can be stressful and difficult. I work very hard daily in the office and at home for the purpose of creating a future for my children. Raising my children in a community where opportunity for education at times is limited, is extremely challenging. Avery's self-esteem and excitement about learning is beyond belief at times. The early learning programs at Tiny Tots are wonderful opportunities for families like mine."

Parents are the first and best teachers, but as Shanta says, we can all use some help. I am proposing we invest in a voluntary five-star rating system for child care facilities to raise the quality of early learning. We rate restaurants, hotels, and music, don't you think we should rate the places we entrust with our children?

And let's lead the rest of the nation and give our five-year-olds the early boost they may need by phasing in voluntary all-day kindergarten. I propose we focus first on schools with high poverty levels where students can benefit the most. We all know teachers teach and students learn better in smaller classrooms, particularly in the early grades of Kindergarten through 3rd. Let's continue to lower those class sizes and ensure our children are truly ready for the 4th grade with a solid foundation in reading, math, science, arts and music, a foreign language and the skills needed to be good citizens.

This nation met the challenge of President Kennedy in the 1960's to be the first to put a man on the moon. Our modern day moon challenge is to meet the math and science crisis facing our state and nation. Three-quarters of Americans believe that if our next generation fails to improve skills in math, science, and engineering, it risks becoming the first generation of Americans who are worse off economically than their parents. They have good reason to be concerned when about half our students failed the 10th grade math WASL last year. But I will contend that our students didn't fail, our math education system failed them. So let's attack this challenge with the same zeal and success that we did the moon challenge. I propose that for the first time we reduce math and science class sizes to the nationally recognized standard of 25 students to 1 teacher.

But it doesn't help to have small class sizes without skilled teachers. In Washington, only about half of our math teachers have a degree in math. We need to help our teachers teach by providing them the training and coaching they deserve. My goal is to recruit 750 new math and science teachers by offering college scholarships, loan forgiveness, and recruiting those in the private sector who want to contribute to our children's future.

And we must change the hodge-podge of math curricula we have in our state and even within the same school districts. For many students, math and science are tough enough. When a family moves, let's help our kids succeed. If a child starts school in Aberdeen and finishes in Ritzville, she should be learning the same material. We should have no more than three curricula options in the state and we need to tie our math and science education to international standards so we know our kids can compete with anyone.

The good news is that if we continue to press for responsible change, we will get results. I have seen it happen at Eisenhower Middle School in Everett where teacher Shannon Depew has started a new, more personalized program for students who failed the math WASL. Shannon's once-struggling students are excelling at math, and it just shows that with talented teachers and our increased investment in an education system for the 21st century, we can make a difference. We have the vision to succeed and the opportunity to invest in that vision. But we also need to make sure schools are accountable to our families. I am proposing new performance standards so we invest in programs

SECOND DAY, JANUARY 9, 2007

2007 REGULAR SESSION

that work and show that tax dollars are being used wisely. A high school education in the future may not be enough to find a good job. That's why we need to continue our investment in running start for the trades, our school-to-work partnerships and mentoring programs to provide the kinds of specialized skills our economy needs. In the past few years we have done a good job of opening the doors to our colleges and universities. We created unprecedented new access to college degrees at campuses in Vancouver, Tri-Cities, Bothell and Tacoma. Students now can enroll in a B.A. degree program at community colleges in South Seattle, Port Angeles, Bellevue and Bremerton. But we need to do more. We need to provide graduates in high-demand fields.

A survey of Washington businesses shows that we are not keeping pace with employer needs – especially in fields like computer science, engineering and construction. We're importing workers for good-paying jobs. Don't you think our sons and daughters should get a shot at those jobs? I am proposing we expand college and university enrollment by 8,300 students, including an unprecedented 3,300 slots in high-demand fields ranging from nurse's aides to doctors, and engineers to construction workers.

Our University of Washington schools of Medicine and Dentistry and Washington State University's School of Nursing are top-notch. Let's expand these programs in Spokane to train doctors, dentists and nurses that will serve our health care needs in more rural areas. It is long overdue for our state to have a tuition policy. For example, in 1994 tuition was raised by over 12 percent and the next year by almost 15 percent. We must make the costs predictable and affordable for students and families.

So let's cap tuition increases at all our colleges and universities. To encourage more students to enroll at our community and technical colleges, I am proposing we freeze tuition. The single greatest investment we can make in our economic security is education. But if we are to make these changes real, we must do it together.

I was proud of a Yakima Herald-Republic editorial last summer that said I was shredding the Cascade Curtain and creating one Washington. I'd like to invite you to join me at the shredder and help us expand our economy to make sure all regions of our state have a chance to attract good family-wage jobs. In the last few years we have invested in 21st century opportunities that tie our state's economy together.

One example is our initiative to launch a new biodiesel industry which will help us be energy-independent, lead the nation, if not the world in alternative energy, provide new markets for Washington agricultural products, and stimulate new businesses. In Grays Harbor, Imperium Renewables is building the largest biodiesel refinery in North America. The plant will provide 50 family-wage jobs and buy from Washington farmers, so we will support those families, too.

Another example is our 2005 initiative creating the Life Sciences Discovery Fund. Our state is among the leaders in global health research. The promise is real in our laboratories today where we are discovering cures to the world's most dreaded diseases, driving up health care quality and driving down costs. This card is one example of the future. It is a lab on a card where at a cost of maybe \$5 to make one of these you can get results within an hour, where today it can cost \$200 and take 5 to 7 days. It is being developed right here in our state. This holds the promise of changing the cost and quality of our health care. It can also create good Washington jobs. At the center of these 21st century jobs are our two internationally recognized research institutions. Let's continue to support global health research at the University of Washington and alternative energy at Washington State University.

Now picture yourself in the Tri-Cities, Seattle, Spokane or Vancouver. Within a five-minute walk, you pass by cutting edge research facilities and offices of four or five of the world's leading companies in health care technology, silicon chip production, or alternative fuels. This vision is not far-fetched. I have personally seen its beginnings around the world. We have much of the foundation in place, now all we have to do is help regions create Innovation Zones which can serve as a powerful

magnet attracting investment money, new businesses, creative people and good 21st century jobs.

Economically, we really are more like a small nation than a state. We export more than twice as much per worker as any other state in the country and the sky is the limit. With our container ports initiative, we will continue to be the gateway to America for goods from Asia, and a leading exporter of high quality products whether it's airplanes, software, wine, potatoes or cherries. While we need a new economic vision, some things don't change. We have to take care of our traditional business base. Forbes recently ranked us the 12th best state for business. But there is intense competition and we need to stay competitive. We need a new partnership, investments and support for our local economic development councils. I propose opening new small business development centers in Pullman, Grays Harbor and Kelso, and we need to improve broadband service to rural communities.

And let's not forget that small business remains the backbone of our economy.

This year we will keep more dollars in the pockets of workers and businesses by reducing their payments to unemployment and workers' compensation by more than \$400 million. That's the kind of economic incentive we need to keep creating good family-wage jobs. And in my dictionary, good family-wage jobs are those that pay well and provide affordable health insurance. For many people in Washington, they fear they are a diagnosis away from bankruptcy. I know that many of the solutions to the health care crisis facing our nation must involve the federal government. But we have to step forward and find innovative solutions for Washingtonians. Join me again this session and invest in kids' health care so we can continue our steady progress toward our goal of all children having access to health care by 2010. I propose covering an additional 32,000 children.

Children's health insurance without access to a doctor is unacceptable. Raising the reimbursement rates for pediatricians can make health care real for our children. And we will protect kids in our state from preventable diseases by spending \$26 million to increase childhood immunizations, making our state one of the few in the nation providing vaccines to all children.

Changes in Medicare have been a real challenge to many of our senior citizens who found themselves having to split, skip, or go without life-saving medications. We need to make sure Washington's seniors have access to their medications. Over the last two years we have saved \$46 million by bulk purchasing drugs for state health care systems. We can save an additional \$21 million next year.

We are blessed in Washington to have wonderful agricultural and farm forestry communities. How many of you know where Windust, Washington is? Not many. Let me help you. It is near Kahlotus. I'm still getting a lot of blank stares. Windust is a wide spot in the road in Southeast Washington. It is in the heart of wheat growing country. As a young girl, I spent summers in Windust helping on the farm while my uncle harvested wheat. It was hot, hard work, but what really made an impression on me was the wonderful culture and values in our farming communities. Hard work. Independence. Strong families. Love of the land. A sense of stewardship and an intense desire to keep the land in the family and in farming for generations. Together farming and forestry are an economic powerhouse for this state, with forestry providing 50,000 jobs and the food and agricultural industry generating a \$29 billion economy.

Thanks to our Columbia River initiative, farmers like Clark Kagele have real hope for the future. He and his neighbors above the Odessa aquifer have watched in desperation for years as their wells, livelihoods and lifetime investments in their farms go dry. But now work has begun to bring Columbia River water to the Odessa.

We need more change if we want to preserve our forest and farm lands from pressure to convert to housing developments or shopping malls. We need new tools to help owners of working farms and forests capture some of the higher economic value, and preserve the working farm for generations to come. I urge you to create an office within the Conservation Commission to

SECOND DAY, JANUARY 9, 2007

put these tools to use, allowing families to do what they love and do best, farm.

In Washington we have an environment that is good for our economy and allows our families to thrive. Our quality of life is why most of us live here and it keeps and draws businesses to our state. We began the cleanup in Hood Canal. But we have more work to do to protect the jewel of the Northwest, Puget Sound. Today, it looks beautiful on its surface but beneath that surface, it is sick and in some places dying. I think the goals for Puget Sound cleanup are pretty simple. I want families to be able to swim in it, fish in it, and dig shellfish from its beaches. If all the contaminated sites in Puget Sound were put together, they would cover nine square miles, an area the size of Edmonds. Mercury, lead, arsenic and other poisons in the sediments can pass up the food chain to fish. That won't meet my measure of fishable. You can think of the marine waters of Puget Sound like a bathtub – they swirl and circulate around instead of being flushed out to the Pacific Ocean. Every time it rains or snows, millions of gallons of stormwater pick up pollution as it runs off roofs, streets, parking lots and highways and flows into our bathtub. You wouldn't put your child in this bathtub. So we must stop this flow of stormwater, or the Sound won't meet my test for swimmable. Every day, we flush more than 175 million gallons of water and human waste into septic systems – the equivalent of filling 265 Olympic size swimming pools every 24 hours. Many septic systems are aging and in disrepair, allowing waste to reach the Sound. If we don't solve this septic problem, we can't depend on the Sound being diggable.

Thanks to the work of the Puget Sound Partnership, we can reach a healthy Puget Sound by 2020. It will take all of us recognizing we are part of the problem, and working together, we are all part of the solution. I am proposing we make an aggressive start to clean up the mess before it's too late. And by the way, I am calling for real on-the-ground work that will bring results all of us can see and the life under the surface can feel. A Washington that families can count on requires that the state do what it can to ensure the safety and security of families in their communities.

Despite inflation from the costs of foreign oil and materials demand around the world, I am asking that we continue to fund all the transportation projects we promised the public over the last few years with safety projects coming first. I am requesting that we take action before it is too late on our mega-projects like the Viaduct in Seattle, the 520 bridge, the bridge connection from Vancouver to Portland and the north-south freeway in Spokane. And when we think transportation, let's think 21st century in terms of need, funding, safety and design. When disaster strikes in most communities across this country, we have found that first responders have different communications systems so they can't talk to each other. We are no different. For a \$13 million investment we can take the steps toward solving this problem in Washington. While we can't prevent a natural disaster, we can be prepared. I won't accept the status quo in state government, so we are changing the culture of state government and holding it accountable for results. Early in my career I prosecuted cases of child abuse and neglect, so I know how important quick response to complaints can be. That's why I required a response to cases of child abuse and neglect within 24 hours, seven days a week. DSHS is meeting those deadlines and we now know the quick response is reducing child abuse and neglect. The vision, agenda, and budget I propose to you today is guided clearly and distinctly by the principle of responsibility. We have a responsibility to change the status quo, to fight for innovation, and to make changes that will mean a better life for Washington families. We have a responsibility to invest wisely in education, health care, our economy, and the environment. We have a responsibility to provide a helping hand to those in need. And we have a responsibility to save for the future and plan ahead for tough times.

We advise families to save for a rainy day and government should be no different. A year ago, we delivered on our promise to keep surplus dollars in the bank. We need to do it again. And also create a permanent Rainy Day Fund as part of our Constitution. Today, I am asking you to join me with an initial

investment of \$262 million in that Rainy Day Fund. Nothing can be a more important lesson in responsibility than showing future generations that we know how to save. We can save money and still invest in a future families can count on – a future with an education system families can rely on, an economy that offers opportunity for family-wage jobs, health insurance families can afford, an environment where families can thrive, and communities where families feel safe. I want to thank those of you who are returning this session for your work and cooperation the last two years.

And I'd like to take a moment to thank those legislators who are not back this year. It is a big sacrifice to be away from your families, jobs and communities, and I want to recognize their great contributions to this state. Many, like Senators Alex Deccio and Pat Thibaudeau, served years in Olympia and we will miss them.

For returning members and our new members this year, I promise you I will have an open door. I will be honest with you and you will know where I stand. I will listen to and respect you and your ideas. All I ask in return is a willingness to put aside differences, find common ground and do the work of the people of our great state. I suspect I don't have to remind anyone here, but during this 105-day session I will be downstairs helping you, nudging you, pushing you to take action.

When this session ends let's have people say we got things done, we made change – responsible change – and we continued providing families a future they can count on.

In closing, let me read a few lines from Aujzha Taylor-Shaw, a graduate of Madrona Elementary School in Seattle.

"I believe people are the world and we can make it a better place. I believe that all people should have joy and hope that is unbreakable, that no one can shatter.

Let's go forward with Aujzha's sense of optimism. Together, let's leave her the inheritance she and future generations deserve. And most important, let's not forget that her optimism, and the optimism of all our families, will happen if we remain committed to the principle that the status quo is not good enough and we will provide the kind of change families can count on.

May God bless all of you and God bless the great state of Washington."

The President asked the special committee to escort Governor Gregoire and her family from the House Chamber.

The President asked the special committee to escort the statewide elected officials from the House Chamber.

The President asked the special committee to escort the Supreme Court Justices from the House Chamber.

On motion of Representative Kessler, the Joint Session was dissolved. The Speaker (Representative Lovick presiding) assumed the chair.

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Owen, President Pro Tempore Franklin, Republican Leader Mike Hewitt and members of the Washington State Senate from the House Chamber.

EVENING SESSION

The Senate was called to order at 6:06 p.m. by President Owen

MOTION

At 6:07 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Wednesday, January 10, 2007.

BRAD OWEN, President of the Senate

5044	Introduction & 1st Reading	2	Intro. Special Guest, Consular Corps	5
5045	Introduction & 1st Reading	2	Intro. Special Guest, Former Governors, Snohomish County	
	Other Action	4	Exec.	4
5046	Introduction & 1st Reading	2	Joint Session: State of the State	4
5047	Introduction & 1st Reading	2	State of the State	5
5048	Introduction & 1st Reading	2		
5049	Introduction & 1st Reading	2		
5050	Introduction & 1st Reading	2		
5051	Introduction & 1st Reading	2		
5052	Introduction & 1st Reading	2		
5053	Introduction & 1st Reading	2		
5054	Introduction & 1st Reading	3		
5055	Introduction & 1st Reading	3		
5056	Introduction & 1st Reading	3		
5057	Introduction & 1st Reading	3		
5058	Introduction & 1st Reading	3		
5059	Introduction & 1st Reading	3		
5060	Introduction & 1st Reading	3		
5061	Introduction & 1st Reading	3		
5062	Introduction & 1st Reading	3		
5063	Introduction & 1st Reading	3		
5064	Introduction & 1st Reading	3		
5065	Introduction & 1st Reading	3		
5066	Introduction & 1st Reading	3		
5067	Introduction & 1st Reading	4		
5068	Introduction & 1st Reading	4		
5069	Introduction & 1st Reading	4		
8205	Introduction & 1st Reading	4		
8400	Messages	2		
8401	Introduction & 1st Reading	4		
MESSAGE FROM GOVERNOR				
	Gubernatorial Appointments	1		
PRESIDENT OF THE SENATE				
	Remarks by the President, Purpose of Joint Session	4		
WASHINGTON STATE LEGISLATURE				
	Appointment of Special Committee, Escort elected officials	4		
	Appointment of Special Committee, Escort Governor Gregoire	4		
	Appointment of Special Committee, Escort Supreme Court Justices	4		