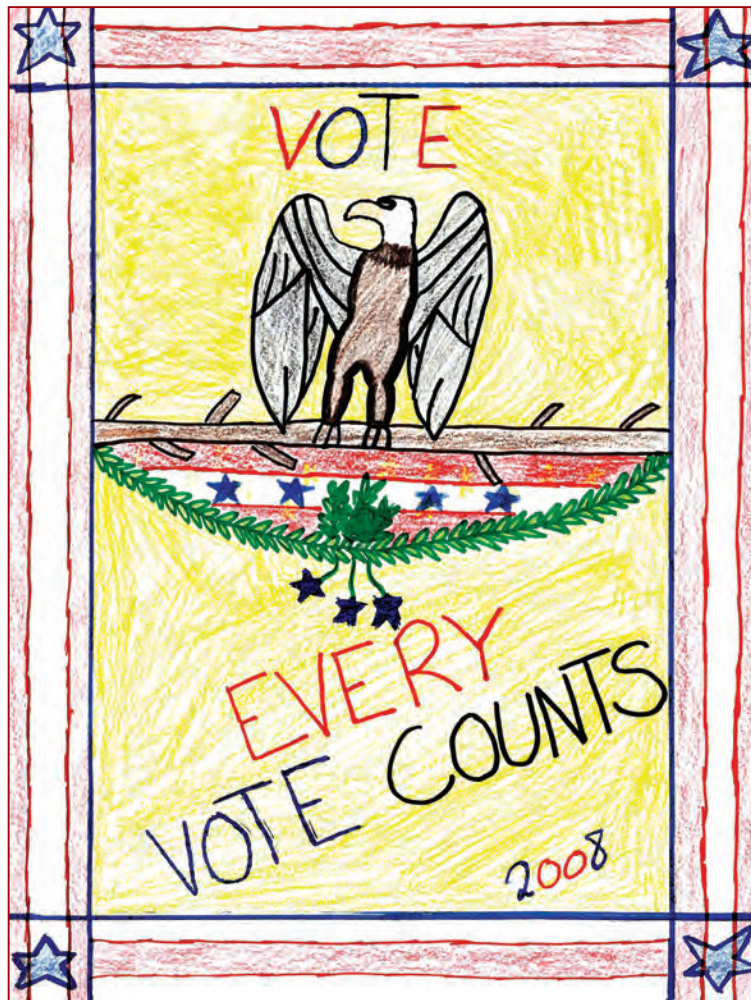


STATE OF WASHINGTON VOTERS' PAMPHLET



November 4, 2008 General Election

Washington has a new election system. In each race for partisan office, the two candidates who received the most votes in the August Primary advanced to the November General Election. It is possible that the two candidates in a race will prefer the same party.

Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.

The election for President and Vice President is different. Those candidates are the official nominees of their political parties.



*Introduction to the
2008 General Election Voters' Pamphlet*

It's your choice ... it's your voice!

This is truly an exciting time to be a voter in Washington State. Our 2008 General Election marks the first time since 1952 with no incumbents in the race for the White House, and we in Washington will choose statewide elected leaders and the members of Congress, legislators, judges and local officials who will lead us during this pivotal moment in our history. You will play a central role in deciding our future.

We have just concluded our first use of the voter-approved Top 2 Primary that produced the slate of candidates you see on these pages. Voters have chosen finalists based on their favorite for each partisan office, without regard to party preference. You will note that candidates describe their party preference, but this doesn't mean that the party endorses or identifies with the candidate. The Top 2 Primary was not a nominating process, but rather a way for voters to winnow the field for each office to two finalists. In some cases, finalists may share the same party preference. Minor-party candidates were part of the primary process.

Now it's your opportunity to pick the winners!

As your chief elections official, I want to assure you that our elections process has seen dramatic improvement since 2004, when we had the closest race for governor in history, and unprecedented scrutiny. There have been 180 changes to state election law and 1,100 administrative rule changes, all designed to give you confidence in the accuracy and integrity of this process we all hold dear. The most striking improvement was creation of a statewide voter registration database that has greatly improved our ability to keep voter registration records current and accountable. Today, voter rolls are the cleanest they have ever been.

As a voter you now have more information than ever before. Visit us online at www.vote.wa.gov for a variety of resources. Click on **MyVote** to get customized voting information. Study this **Voters' Pamphlet** and check out the **Video Voters' Guide** and our new "I Will Vote" feature.

Thanks for participating!

Sincerely,



A handwritten signature in black ink that reads "Sam Reed".

SAM REED
Secretary of State

*Congratulations to Natasha Graves, age 10, of Tacoma whose artwork
is displayed on the cover of this Voters' Pamphlet.*

Secretary of State Voter Information Hotline (800) 448-4881

TDD/TTY Hotline for the hearing or speech impaired (800) 422-8683

Visit our online voters' guide at www.vote.wa.gov

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Help America Vote Act Information

Under Section 402(a)(2) of the Help America Vote Act of 2002 (HAVA), P.L. 107-252 and Washington Administrative Code, Chapter 434-263, any person who believes that a violation of any provision of Title III of HAVA has occurred, is occurring, or is about to occur, may file a complaint with the Office of the Secretary of State. A complaint form can be found at www.secstate.wa.gov/elections/reform_federal.aspx or a letter containing the following information will be considered an acceptable complaint.

A. Person making complaint

Name, address, city, state, ZIP, county, and home and work phone numbers

B. Description of the alleged violation

Please identify:

1. The facts of the alleged violation;
2. Witnesses, if any, and contact information if you have it;
3. Date and time you became aware of the alleged violation;
4. Location where the alleged violation occurred;
5. Who is responsible for the alleged violation; and
6. Other information that you think will be helpful in resolving your complaint.

All complaints must be **notarized** and filed with the Office of the Secretary of State no later than 30 days after the certification of the election. Send complaint to: Secretary of State, Elections Division, PO Box 40229, Olympia, WA 98504-0229.

Address Confidentiality Program

If you are a victim of domestic violence, sexual assault, trafficking, or stalking who has chosen not to register to vote because you are afraid your perpetrator will track you down through voter registration records, the Office of the Secretary of State has a program that might be able to help you. The Address Confidentiality Program (ACP) works together with community domestic violence and sexual assault programs in an effort to keep crime victims safer. The ACP provides participants with a substitute mailing address that can be used when the victim conducts business with state or local government agencies. The ACP also provides participants with the option of confidential voter registration. All ACP participants must be referred to the program by a local domestic violence or sexual assault advocate who can help develop a comprehensive safety plan.

Need More Information?

For more information about the ACP and the phone number of victim resources in your community, call the ACP toll-free at (800) 822-1065, TDD/TTY at (800) 664-9677 or visit www.secstate.wa.gov/acp.



Take a look at these important **BALLOT CHANGES**

Washington State's New Election System

Washington has a new election system. In each race for partisan office, the two candidates who received the most votes in the August Primary advanced to the November General Election.

Changes to the Ballot

As a result of Washington's new Top 2 Primary, your ballot for the 2008 November General Election will be different from previous years. Here are two changes you will see:

- Candidates' stated party preference; and
- Only two candidates in each partisan race.

NOTE: It is possible that the two candidates advancing to the General Election in a race will prefer the same party.

Sample ballot:

| |
|---|
| State of Washington Partisan Office |
| Legislative Position |
| Juanita Fernandez (Prefers Sample Party) |
| Jamal Carver (Prefers Sample Party) |

What is "Party Preference"?

Each candidate for partisan office may state a political party that he or she prefers.

A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.

Candidates may choose not to state a political party preference.

Candidates in the General Election

In each race, the two candidates who received the most votes in the August Primary will appear on your November General Election ballot.

Presidential Election

The election for President and Vice President is different. Presidential candidates are the official nominees of their political parties.

Why Washington has a Top 2 Primary

In 2004, Initiative 872 proposed a Top 2 Primary. Washington voters overwhelmingly approved I-872 but in 2005, the U.S. District Court ruled that it was unconstitutional. The U.S. Supreme Court overturned the lower court's ruling on March 18, 2008. The 2008 August Primary was the first statewide primary in which Washington State voters used the new Top 2 method.

Need more information?

For more information on Washington State's new election system, call the Office of the Secretary of State Voter Information Hotline at (800) 448-4881, TDD/TTY at (800) 422-8683, or visit www.vote.wa.gov.

Voting in Washington State

Voter Qualifications

To register to vote, you must be:

- A citizen of the United States;
- A legal resident of Washington State;
- At least 18 years old by Election Day; and
- If you have been convicted of a felony in Washington, another state, or in federal court, you lose your right to vote in Washington State until your civil rights are restored.

In Washington State, you do not declare political party membership when you register to vote.

Registration Deadlines

While you may register to vote at any time, keep in mind that there are registration deadlines prior to each election. You must be registered at least 30 days before an election if you register by mail or online. If you are a new voter in Washington State, you may register in person at your county elections department up to 15 days before an election.

The phone number and address of your county elections department are located in the back of this pamphlet.

How to Register to Vote

Forms are available on the Internet at www.vote.wa.gov or at your county elections department, public libraries, schools, and other government offices. You may also request a form through the State Voter Information Hotline. (See Services and Additional Assistance on this page.)

Keep Your Voter Registration Up-to-Date

If your voter registration record does not contain your *current* name or address, you may not be able to vote. You can use the online or mail-in voter registration form to let your county elections department know when you move or change your name. Update your record online or download a form at www.vote.wa.gov. You must re-register or transfer your registration at least **30 days** before the election to be eligible to vote in your new precinct.

Absentee Ballots

Absentee ballot requests must be made to your county elections department (not the Secretary of State). No absentee ballots are issued on Election Day except to a registered voter who is a resident of a health care facility. A ballot may be requested in person, by phone, mail, electronically or by a member of your immediate family as early as **90 days** before an election.

You may also apply in writing to **automatically** receive an absentee ballot before each election. An absentee ballot request form is in this pamphlet. ***If you have already requested an absentee ballot or have a permanent request for a ballot on file, please do not submit another application.***

You will receive your absentee or mail-in ballot approximately 14 days prior to the election. Upon receipt, vote your ballot. ***Please do not*** attempt to vote again at your polling location. Absentee and mail-in ballots must be signed and postmarked or delivered to your county elections department **on or before** Election Day.

Election Dates and Poll Hours

The General Election is November 4, 2008. Polling place hours in King and Pierce Counties are 7:00 a.m. to 8:00 p.m.

Services and Additional Assistance

Contact your county elections department for help with voting your ballot or finding your polling location. The phone number and address of your county elections department is located in the back of this pamphlet.

Contact the Office of the Secretary of State for:

- Voters' Pamphlets in other formats (Braille, audio cassette, large print) or languages (Spanish, Chinese);
- Lists of initiatives and referenda; and
- Voter registration, voting, and absentee ballot information.

This information is also available at www.vote.wa.gov or call the Voter Information Hotline, (800) 448-4881 (TDD/TTY for the hearing- or speech-impaired only is (800) 422-8683).



Already registered? Check online to be sure!

Go to www.vote.wa.gov and click on the MyVote logo

Did you know that if you are already registered to vote, you should submit a new voter registration form when you move or change your name? Your previous voter registration may still be active!

Now you may view your personalized voting information using MyVote. Review your sample ballot, your voting history, ballot drop-off locations and poll sites, and change your address.

WASHINGTON STATE ELECTIONS

ACCURATE. TRANSPARENT. ACCESSIBLE.



Washington State elections have undergone dramatic changes in recent years. Here are just some of the improvements from the most comprehensive set of election reforms in Washington State history.

STATEWIDE VOTER REGISTRATION DATABASE

In 2006, Washington State's 3.3 million voter registrations were combined into a single database. Consolidating all 39 counties considerably improved the ability to search for duplicate registrations, felons, and deceased voters.

ACCESSIBLE VOTING UNITS

Accessible Voting Units are available in every county beginning 20 days before each election. Voters with disabilities are now able to independently cast secret ballots and may verify that their selections have been recorded properly by a paper audit trail.

BALLOT ENHANCEMENT

Previously, votes that could not be tabulated were "enhanced" by darkening voters' marks. Now a duplicate ballot must be created by teams of two election workers, or referred to the county canvassing board. The original ballot is not altered.

AUGUST PRIMARY

Washington State used to hold its Primary in September, making it one of the latest in the United States. Moving the Primary to August now allows more time for ballots to reach military personnel and overseas residents, and gives election workers more time to prepare for the November General Election.

COUNTY ELECTION REVIEWS

The Office of the Secretary of State is now authorized to audit county election practices and procedures every three years.

VOTER IDENTIFICATION

State law now requires voters to provide identification at the polls.

ONLINE VOTER REGISTRATION

Citizens who have a Washington State driver's license or state identification card may now register online. To safeguard the accuracy and integrity of electronic applications, security measures similar to what banks and retailers use for online financial transactions are in place.

VOTE BY MAIL

Thirty-seven of Washington's 39 counties now vote entirely by mail. Voting by mail is secure. Each signature is checked against the signature in the voter registration file. If the signature doesn't match, the vote isn't counted until the voter is contacted and the signature is verified.

STATEWIDE STANDARDS ON WHAT IS A VOTE

Voters often make mistakes or do not follow directions when marking their ballots. Statewide standards have been implemented for consistent counting of ballots for all voting systems. The standards determine what marks may or may not be counted as votes.



Public Access to Campaign Spending Reports

Contributions to Candidates and Political Committees

No person may make contributions to a state legislative candidate that exceed \$800 per election in which the candidate's name is on the ballot. Contributions to state executive candidates may not exceed \$1,600 in the primary and \$1,600 in the general election. A person may give unlimited funds to the exempt activities account of a political party, to ballot issue committees, or to other political committees. During the 21 days before the general election, however, a person may contribute no more than \$5,000 to a local or judicial office candidate, political party, or other political committee. Contributions from corporations, unions, businesses, associations, and similar organizations are permitted, subject to limits and other restrictions.

Registration and Reporting by Candidates and Political Committees

No later than two weeks after an individual becomes a candidate or a political committee is organized, a campaign finance registration statement must be filed with the Public Disclosure Commission (PDC) and the county elections department. (Committees that form within three weeks of the election must register within three business days.) The candidate or committee treasurer is also required to report periodically the source and amount of campaign contributions over \$25 and to list campaign expenditures. The occupation and employer of individuals giving more than \$100 to a campaign must also be identified.

These reports may be inspected and copied at the PDC's Olympia office, the county elections department in the county where the candidate lives, and on the Internet (www.pdc.wa.gov). Every candidate and political committee participating in the election must make their campaign books and records available for public inspection, by

appointment, during the eight days before the election except Saturdays, Sundays, and legal holidays. Use the contact information provided on the campaign registration to make an appointment.

Independent Campaign Expenditures

Anyone making expenditures totaling \$100 or more in support of or in opposition to a state or local candidate or ballot measure (not including contributions made to a candidate or political committee) must file a report with the PDC and their county elections department within five days. Forms are available from the PDC and the county elections department, or can be downloaded from the PDC website. Finally, all political advertising must identify the person paying for the ad and may be required to include other information. Expenditures for independently sponsored political advertisements that cost \$1,000 or more and appear during the last three weeks before an election must be reported to the PDC within 24 hours of when the ad is first presented to the public. Sponsors of electioneering communications must electronically report expenditures within 24 hours of the communication being presented to the public. More information about independent ads and electioneering communications is available from the PDC.

Federal Campaigns

Contributions to U.S. Senate and House of Representatives candidates are regulated by federal law. An individual may contribute a maximum of \$2,300 in the primary and \$2,300 in the general election to each candidate for U.S. Senator and U.S. Representative. Corporations and unions are prohibited from contributing from their general treasury funds to federal campaigns. Contributions may be made from separate segregated funds (also called political action committees or PACs). Copies of the federal campaign finance reports are available from the Federal Election Commission (FEC).

Need More Information?

Contact the Public Disclosure Commission at 711 Capitol Way, Room 206, PO Box 40908, Olympia, WA 98504-0908, or by phone (360) 753-1111, email pdc@pdc.wa.gov, or www.pdc.wa.gov. For federal campaigns, contact the Federal Election Commission by phone at (202) 694-1100, toll-free (800) 424-9530, TDD/TTY (202) 219-3336, or visit www.fec.gov.

The Ballot Measure Process

The Washington State Constitution affords voters two basic methods of direct legislative power — the initiative and the referendum. While differing in process, both initiatives and referenda have the same effect of leaving the ultimate authority to legislate in the hands of the people.

The Initiative

The initiative process is the direct power of the voters to enact new laws or change existing laws. It allows the electorate to petition to place proposed legislation on the ballot. The initiative's only limitation is that it cannot be used to amend the Washington State Constitution.

There are two types of initiatives:



Initiatives to the People - Initiatives to the people, if certified to have sufficient signatures, are submitted for a vote of the people at the next state general election.



Initiatives to the Legislature - Initiatives to the Legislature, if certified, are submitted to the Legislature at its regular session each January. Once submitted, the Legislature must take one of the following three actions:

- 1) Adopt the initiative as proposed, in which case it becomes law without a vote of the people;
- 2) Reject or refuse to act on the proposed initiative, in which case the initiative must be placed on the ballot at the next state general election; or
- 3) Approve an amended version of the proposed initiative, in which case both the amended version and the original version must be placed on the ballot at the next state general election.

Any registered voter, acting individually or on behalf of an organization, may propose an initiative to create a new state law or to amend or repeal an existing statute.

To certify an initiative (to the people or to the Legislature), the sponsor must circulate the complete text of the proposal among voters and obtain a number of legal voter signatures equal to 8 percent of the total number of votes cast for the office of Governor at the last regular gubernatorial election.

Initiative measures appearing on the ballot require a simple majority vote to become law (except for gambling or lottery measures which require 60 percent approval).

The Referendum

Washington's referendum process is intended to give voters an opportunity to have the final say regarding laws either proposed or approved by the Legislature. The only acts that are exempt from the power of referendum are emergency laws — those that are necessary for the immediate preservation of the public peace, health or safety, and the support of state government and its existing institutions.

There are two types of referenda:



Referendum Bills - Referendum bills are proposed laws referred to the electorate by the Legislature.



Referendum Measures - Referendum measures are laws recently passed by the Legislature that are placed on the ballot because of petitions signed by voters.

Any registered voter, acting individually or on behalf of an organization, may demand, by petition, that a law passed by the Legislature be referred to a vote of the electorate prior to its going into effect (emergency legislation is exempt from the referendum process — see above).

To certify a referendum measure to the ballot, the sponsor must circulate among voters the text of the legislative act to be referred, and obtain a number of legal voter signatures equal to 4 percent of the total number of votes cast for the office of Governor at the last regular gubernatorial election.

A referendum certified to the ballot must receive a simple majority vote to become law (except for gambling and lottery measures which require 60 percent approval).

Please Note: The preceding information is not intended as a substitute for the statutes governing the initiative and referendum processes, but rather should be read in conjunction with them. Relevant sections of law are found in Article 2, Section 1 of the Washington State Constitution, Chapter 29A.72 RCW and WAC 434-379. To access these sections online, visit the Code Reviser's website at www.leg.wa.gov/CodeReviser. A complete handbook for filing initiatives and referenda is online at www.secstate.wa.gov/elections/pdf/Filing_Initiative_and_Referenda_Manual_2005-2008.pdf.

Do you know what they do?

Voters are entrusted to elect candidates into many offices, perhaps without always knowing the qualifications and full responsibility of an office. Following are the descriptions for some of the offices appearing on your ballot.



Federal Offices

President/Vice President

Under the U.S. Constitution, the President must be at least 35 years old and a native-born citizen of the United States. The President's term of office is four years; no person may serve more than two consecutive terms as President.

The President's functions, powers, and responsibilities are defined by Article II, Section 1 of the Constitution. The chief duty is to ensure that the laws are faithfully executed, and this duty is performed through a system of appointed executive agencies that includes cabinet-level departments. The President appoints all the cabinet heads and most other high-ranking officials of the executive branch of the federal government. The President also nominates all judges of the federal judiciary, including the members of the Supreme Court; nominees are subject to confirmation by the Senate. The President is the commander in chief of the nation's armed forces, in times of peace as well as war. The President has the power to make treaties with foreign governments, though the Senate must approve such treaties. Finally, the President has the power to approve or reject (veto) the laws passed by Congress.

The Constitution stipulates that the Vice President shall become President in the event the President dies, resigns, or is removed from office. The Vice President also serves as the presiding officer of the U.S. Senate.

U.S. Representative

The U.S. Constitution prescribes that a Representative must be at least 25 years of age, have been a citizen of the United States for seven years, and, when elected, be a resident of the State from which he or she is chosen. A Representative's term of office is two years; the total membership of the House is elected in even-numbered years.

The Constitution assigns the Senate and House equal responsibility for declaring war, maintaining the armed forces, assessing taxes, borrowing money, minting currency, regulating commerce, and making all laws necessary for the operation of the government.



State Executive Offices

Governor

The Governor is the chief executive officer of the state, elected to serve a four-year term. The Governor's executive branch responsibilities include appointing the heads of departments, agencies, and institutions. The Governor's legislative responsibilities include reporting to the Legislature annually on affairs of the state and submitting a budget recommendation. The Governor may veto legislation passed by the Legislature.

The office was created by Article III, Section 2, of the

Washington Constitution. The Governor's powers and duties are outlined in Section 5-13 of the Constitution and RCW 43.06.

Lieutenant Governor

The Lieutenant Governor is elected independently of the Governor and holds office for four years. The Lieutenant Governor acts as Governor if the Governor is unable to perform his/her official duties, and is the presiding officer of the State Senate.

The Lieutenant Governor is elected to a four-year term. The office was created by Article III, Section 16 of the State Constitution.

Secretary of State

The Secretary of State is the state's chief elections officer, chief corporation officer, supervises the State Archives, and oversees the State Library. Primary functions include supervising state elections and certifying election results; filing and verifying initiatives and referendums; publishing the state voters' pamphlet; registering and licensing corporations, limited partnerships and trademarks; registering charitable organizations; collecting and preserving historical records of the state; administering the state's Address Confidentiality Program; and filing official acts of the Legislature and Governor.

The Secretary of State is elected to a four-year term. The office was created by Article III, Section 17 of the State Constitution. The duties are outlined in RCW 43.07.

State Treasurer

As the state's fiscal officer, the State Treasurer's principal duties are to manage and disperse all funds and accounts; be responsible for the safekeeping and interest on all state investments; accounting for and making payments of interest and principal on all state bonded indebtedness and maintaining a statewide revenue collection system for the purpose of expediting the deposit of state funds into the Treasury.

The State Treasurer is elected to a four-year term. The office was created by Article III, Section 19 of the State Constitution. The duties are outlined in RCW 43.08.

State Auditor

Working with more than 2,600 state and local governments, the State Auditor's Office conducts independent financial, accountability, and performance audits of all Washington governments. The State Auditor conducts investigations of state employee whistleblower assertions about state agencies and also investigates reports of fraud, waste, and abuse received through its citizen hotline. Audit and investigation results are documented and reported to governments and the public.

The State Auditor is elected to a term of four years. The office was created by Article III, Section 20 of the State Constitution. The duties are outlined in RCW 43.09 and 43.88.160.



Attorney General

The Attorney General serves as legal counsel to the Governor, members of the Legislature, state officials, and more than 230 state agencies, boards and commissions, colleges and universities. The office also represents the various administrative agencies and schools in court or administrative hearings. The Office of the Attorney General enforces consumer protection statutes and serves the public directly by providing information on consumer rights and fraudulent business practices.

The Attorney General is elected to office for a four-year term. The office was created pursuant to Article III, Section 21 of the Washington State Constitution. The duties are outlined in RCW 43.10.

Superintendent of Public Instruction

As head of the state educational agency and chief executive officer of the State Board of Education, the Superintendent is responsible for the administration of the state kindergarten through twelfth grade education program. The regulatory duties of the office include certification of teaching personnel, approval and accreditation of programs, and apportionment of state and local funds. The Superintendent also provides assistance to school districts' school improvement area; in statistical analysis, accounting, management, assessment, and curriculum development.

The Superintendent is elected to a four-year term of office. The office was created pursuant to Article III, Section 22 of the Washington State Constitution. The duties are outlined in RCW 28A.300.

Commissioner of Public Lands

The Commissioner of Public Lands is the head of the Department of Natural Resources, overseeing the management of 5 million acres of forest, agricultural, range, tidal, and shore lands of the state. Subject to proprietary policies established by the Board of Natural Resources, the Commissioner is responsible for the exercise of all duties and functions of the department.

The Commissioner is elected to a four-year term of office. The office was created pursuant to Article III, Section 23 of the Washington State Constitution. The duties are outlined in RCW 43.12 and RCW 43.30.

Insurance Commissioner

The Office of the Insurance Commissioner regulates insurance companies doing business in Washington, licenses agents and brokers, reviews policies and rates, examines the operations and finances of insurers, and handles inquiries and complaints from the public.

The Insurance Commissioner is elected to a four-year term of office. The office was created by the Legislature and the duties are listed in RCW 48.02.060 and 48.43.



State Senator

The State Constitution prescribes that a Senator must be a citizen of the United States and a qualified voter in the legislative district from which he or she was chosen. A Senator's term of office is four years; the Senate is made up of 49 members, one from each legislative district in the state. One-half of the membership of the Senate is elected at the General Election held in November of each even-numbered year.

During legislative sessions, the Legislature is called upon to: enact or reject legislation affecting public policy in the state; provide for the levy and collection of taxes and other revenue to support state government and assist local government; and appropriate funds for these purposes.

State Representative

The State Constitution prescribes that a Representative must be a citizen of the United States and a qualified voter in the legislative district from which he or she was chosen. A Representative's term of office is two years; the House is made up of 98 members, two from each legislative district in the state. The total membership of the House is elected at the General Election held in November of each even-numbered year.

During legislative sessions, the Legislature is called upon to: enact or reject legislation affecting public policy in the state; provide for the levy and collection of taxes and other revenue to support state government and assist local government; and appropriate funds for these purposes.

How Candidates' Names Appear on the Ballot

The order in which candidates' names appear on your ballot is established by state law or codes.

For the general election, the names of candidates for President and Vice President are placed in order of the political party which received the highest number of votes in Washington State's previous Presidential Election or, in the case of independent or minor party candidates, in the order of their qualification with the secretary of state (Chapter 29A.36.161, Revised Code of Washington). The names of candidates for all other state offices are ordered according to the number of votes those candidates received in the primary (Chapter 434-230-045(2)(b), Washington Administrative Code). For the primary, a lot draw was conducted to determine the order of candidates' names on the ballot (Chapter 434-230-045(2)(a), WAC).

Political party preferences stated by the candidates do not affect the order in which they are listed on any ballot (Chapter 434-230-045(2)(c), WAC).



INITIATIVE MEASURE 985

Proposed by Initiative Petition

Official Ballot Title:

Initiative Measure No. 985 concerns transportation.

This measure would open high-occupancy vehicle lanes to all traffic during specified hours, require traffic light synchronization, increase roadside assistance funding, and dedicate certain taxes, fines, tolls and other revenues to traffic-flow purposes.

Should this measure be enacted into law?

Yes [] No []

Note: The Official Ballot Title was written by the Attorney General as required by law. The Explanatory Statement was written by the Attorney General as required by law. The Fiscal Impact Statement was written by the Office of Financial Management. For more in-depth fiscal analysis, visit www.ofm.wa.gov/initiatives. The complete text of Initiative Measure 985 begins on page 25.



Fiscal Impact Statement

Proposed I-985 Fiscal Impact Statement

Over five years, approximately \$622.6 million would be redirected from projects and activities supported by state and local general and transportation funds to congestion relief activities. This would include \$224.2 million for opening carpool lanes to general traffic during off-peak hours, \$65.7 million for synchronizing traffic lights, \$18 million for additional emergency relief and \$1.4 million for the State Auditor to monitor performance. The remaining \$312.9 million would be available for other congestion relief activities, including expanding road capacity. Funds would not be allowed for bike paths, landscaping, wildlife crossings, park and ride lots, ferries, trolleys, buses or rail.

General Assumptions

- Estimates are based upon such sources as trends, current appropriation levels and the last legislatively adopted 16-year transportation financial plan.
- The following have been excluded from this analysis:
 - Most federal funds, as they have regulations that govern their use.
 - Revenues dedicated to outstanding bonds, as they are pledged for specific purposes.
 - Tolling authority for the Tacoma Narrows Bridge, as it is in a different chapter of the law than the statutes amended in the initiative.
 - Toll rate increases, which are not considered “new tolls or charges.”
 - Funds appropriated to agencies for distribution as grants, as opposed to direct appropriations for specific projects.

Revenue Assumptions

| Estimated Revenues Deposited into the Reduce Traffic Congestion Account | | | | |
|---|----------------------|-----------------------|-----------------------|-----------------------|
| Fiscal Year 2009 to 2013 | | | | |
| | Biennium | | | Total |
| | 2007-09 | 2009-11 | 2011-13 | |
| Red Light Traffic Cameras | \$ 13,043,998 | \$ 13,383,998 | \$ 13,383,998 | \$ 39,811,994 |
| Transportation-Related Public Works Projects | 0 | 4,921,505 | 3,895,273 | 8,816,778 |
| Sales and Use Taxes on Motor Vehicles | 52,453,000 | 237,965,000 | 283,526,000 | 573,944,000 |
| Toll Revenues | 0 | 0 | 0 | 0 |
| Total Revenue | \$ 65,496,998 | \$ 256,270,503 | \$ 300,805,271 | \$ 622,572,772 |



INITIATIVE MEASURE 985



Fiscal Impact Statement (continued)

Red Light Cameras Revenue Assumptions

- Presently, no counties and 12 cities have automated traffic safety camera programs.
- Revenues decrease after the first year of use because the number of traffic violations typically decreases following the first year of installation. Estimated revenues assume a 70 percent collection rate.

Transportation-Related Public Works Projects Revenue Assumptions

- One-half of 1 percent of state appropriations for “transportation related public works projects” would be deposited into the Reduce Traffic Congestion Account. This requirement affects “... all state agencies, including all state departments, boards, councils, commissions, and quasi-public corporations ...” This pertains to state entities only.
- Transportation-related public works projects would not be subject to the one-half of 1 percent allocation for public art.

Sales and Use Tax Revenue Assumptions

- The 2007–09 revenues represent seven months of collections. Future biennia represent 24 months of collections and growth, as forecast by the Economic and Revenue Forecast Council.

Toll Revenue Assumptions

- Toll revenues would be used for “construction, operation and maintenance” of toll facilities.
- Operation of toll facilities includes Washington State Patrol enforcement, tow truck operations, emergency response and routine maintenance.
- Tolls may be collected prior to the construction of a toll facility as long as the revenue is for the anticipated expenses identified in a capital or financial plan.
- All projected toll revenues would be planned to be used for operations, maintenance and construction of toll facilities, so there would be no excess revenue assumed to be available for deposit to the Reduce Traffic Congestion Account.

Assumptions on Costs to Implement I-985

| | Estimated Expenditures From the Reduce Traffic Congestion Account | | | |
|--|---|----------------------|-----------------------|-----------------------|
| | Fiscal Year 2009 to 2013 | | | |
| | Biennium | | | Total |
| 2007-09 | 2009-11 | 2011-13 | | |
| Traffic Light Synchronization | \$ 20,935,000 | \$ 20,935,000 | \$ 23,870,000 | \$ 65,740,000 |
| Red Light Traffic Cameras | 14,640 | 0 | 0 | 14,640 |
| Carpool Lanes | 200,000 | 30,000,000 | 194,000,000 | 224,200,000 |
| Sales and Use Taxes on Motor Vehicles | 27,000 | 0 | 0 | 27,000 |
| Washington State Auditor | 200,000 | 600,000 | 600,000 | 1,400,000 |
| Department of Transportation Audit Support | 50,000 | 100,000 | 100,000 | 250,000 |
| Emergency Roadside Response | 5,636,500 | 6,190,800 | 6,190,900 | 18,018,200 |
| Total Expenditure | \$ 27,063,140 | \$ 57,825,800 | \$ 224,760,900 | \$ 309,649,840 |

Traffic Light Synchronization -- Cost to Implement Assumptions

- One-half of the signals would be synchronized in 2009 and one-half in 2010.
- Synchronization would need to be recalibrated every 2 ½ to 3 years.
- The estimated number of signalized intersections in cities is 3,734. At an average cost of \$5,000 per intersection, the total cost to synchronize all intersections for cities would be \$18.7 million, with an additional cost of \$18.7 million for recalibration.
- Approximately 362 signalized intersections are on heavily traveled arterials and streets in King, Pierce, Snohomish and Clark counties. At an average cost of \$5,000 per intersection, the total cost to synchronize all intersections for these counties would be \$1.8 million, with an additional cost of \$1.8 million for recalibration.
- Approximately 405 signalized intersections are on heavily traveled arterials and streets on state-owned highways. At an average cost of \$8,500 per intersection, the total cost to synchronize all intersections on state highways would be \$3.4 million, with an additional cost of \$3.4 million for recalibration. The Washington State Department of Transportation estimates an additional cost of up to \$18 million for the state-owned highways only.
- Costs to take full advantage of real-time synchronization, such as staffing of traffic operations centers and traffic cameras, are not included.





INITIATIVE MEASURE 985



Fiscal Impact Statement (continued)

Carpool Lanes -- Cost to Implement Assumptions

Opening carpool lanes to general purpose traffic during off-peak hours requires:

- Installation or modification of variable speed limit and lane use control systems for 50 miles of HOV lanes at approximately \$4 million per mile, for a total of \$200 million over five years.
- Installation of access ramp gates and electronic signing at eight locations, estimated at about \$2 million per location, for a total of \$16 million over five years.
- Installation of additional ramp meters, at a cost of \$6 million over five years.
- Replacement of 700 HOV signs to comply with requirements, at a cost of \$2.2 million.
- Implementation would be staged over the five years, in part due to the need to obtain federal approval to make changes to HOV lanes.
- King County Metro estimates that opening carpool lanes to general purpose traffic would reduce efficiency of transit vehicles by about 10 percent. King County's cost is estimated to be approximately \$15 million over five years, due primarily to additional fuel and labor costs. Impact to other transit districts has not been assessed, but is assumed to be the equivalent of the King County impact.

State Auditor -- Cost to Implement Assumptions

- The State Auditor's Office would incur a one-time cost of \$100,000 to \$200,000 to develop the benchmarks and best practices required, and annual monitoring and reporting costs of \$200,000 to \$300,000.
- The Department of Transportation would incur costs to support the State Auditor's work, at a cost of \$50,000 per year.

Emergency Roadside Assistance -- Cost to Implement Assumptions

- Although I-985 requires additional funds to be spent on emergency roadside assistance, it does not specify how much of an increase is expected. For the purpose of this analysis, additional funds are assumed to be provided to the Washington State Department of Transportation and the Washington State Patrol.
- The Washington State Department of Transportation estimates include an additional 10 emergency roadside assistance vehicles and 10 full-time equivalent employees (FTEs) to respond to 17,978 incidents per biennium.
- The Washington State Patrol estimates include 13 more troopers in the central Puget Sound Region; three more FTEs to improve accident investigations, enforcement, education and coordination with other jurisdictions; and additional equipment for troopers and investigation staff.

Assumptions related to fund shifts and revenue losses

- Estimated revenue loss to cities from red light traffic camera infractions would be \$40 million over five years.
- Not charging tolls during off-peak hours on SR-167 HOT lanes would result in a 33 percent loss of funds, or a total loss of \$3.1 million over five years.
- Washington state transit agencies are estimated to lose about \$20 million over five years in federal transit funds due to the opening of carpool lanes to general traffic during non-peak periods.
- The Washington State Arts Commission would lose \$500,000 over five years.
- The state general fund would be reduced by \$573.9 million over five years. The general fund is used for education, public safety, social services and general government.





INITIATIVE MEASURE 985

Explanatory Statement

The law as it presently exists:

Existing law authorizes the state department of transportation and local governments to reserve all or any portion of a highway under their respective jurisdictions for the exclusive or preferential use of public transportation vehicles or private motor vehicles carrying no fewer than a specified number of passengers. These restricted lanes are typically called “carpool lanes” or “high occupancy vehicle (HOV) lanes.” The standard for restricting roads, ramps, or lanes for this purpose is whether the limitation “will increase the efficient utilization of the highway or will aid in the conservation of energy resources.” Using this standard, the department of transportation and local governments may determine which highways, ramps, and lanes will be reserved and what restrictions will be applied to particular sections of roadway.

The department of transportation is authorized to establish a pilot project of high-occupancy toll lanes on State Route 167 in King County. The department is authorized to establish and to automatically adjust toll charges for use of these lanes and to change the toll charge by time of day, level of traffic congestion, vehicle occupancy, or other appropriate criteria. Revenue from the high-occupancy toll lanes is deposited in an account in the state treasury and may be spent only as appropriated by the legislature. Existing law authorizes use of the funds for toll lane purposes and certain other purposes, and provides that a reasonable proportion of the funds will be used to improve transit, vanpool, carpool, and trip reduction services in the State Route 167 corridor.

Under existing law, the state levies and collects a tax on each retail sale in the state equal to 6.5% of the selling price and an additional tax of three-tenths of one percent (0.3%) on each retail sale of a motor vehicle (but not retail car rentals). Existing law does not require that any specific portion of this tax revenue be set aside for traffic congestion purposes.

Existing law authorizes the use of automated traffic safety cameras for issuance of notices of traffic infractions in certain circumstances. Revenue from infractions based on the use of traffic safety cameras is deposited into the current expense fund of the county or city using the camera.

Under existing law, all state agencies are required to set aside one-half of one percent (0.5%) of any appropriation for the original construction of any public building for the acquisition of works of art. These funds are expended by the state arts commission. The works of art may be placed on public lands or may be included in exhibitions in public facilities. The arts program does not include appropriations for buildings of a temporary nature.

The state transportation commission is authorized to determine and establish tolls and charges for the use of toll bridges and other toll facilities, including Washington state ferries. Tolls and revenues received from the operation of any toll bridge constructed with the proceeds of bonds are paid over to the state treasurer and deposited in trust funds set apart from all other funds. Such funds shall be applied for the payment of principal and interest of bonds. If the bond contracts do not require surplus revenues to be held in any particular manner, they are held and used for other purposes incidental to the construction, operation, and maintenance of the toll bridge or bridges for which the bonds were sold.

The effect of the proposed measure, if approved:

This measure would restrict the authority of the department of transportation and of local governments to define carpool lanes and to determine how to manage their use. The measure would define “carpool lanes” to include high-occupancy vehicle lanes, including express lanes, high-occupancy toll lanes, off-ramp bypass lanes, and on-ramp bypass lanes on any highway, freeway, or roadway in the state. The measure would define the term “peak hours” to include the hours between 6:00 a.m. and 9:00 a.m. and the hours between 3:00 p.m. and 6:00 p.m., Monday through Friday. All other hours would be defined as “non-peak hours.” The measure would open all carpool lanes (as defined) during non-peak hours for use by all traffic otherwise lawfully abiding by the rules of the road. During peak hours, the use of carpool lanes would be limited to motor vehicles carrying two or more persons, or motorcycles carrying one or more persons. Tolls could not be charged on any vehicle in a high-occupancy toll lane during non-peak hours.

The measure would require cities and counties to synchronize the traffic lights on heavily-traveled arterials and streets within their jurisdictions to optimize traffic flow. The state and other local governments would be required to synchronize traffic on





INITIATIVE MEASURE 985

Explanatory Statement (continued)

heavily-traveled arterials and streets falling within their respective responsibilities. The state auditor would be directed to identify and establish performance benchmarks on traffic light synchronization and to investigate and track progress on these benchmarks.

The measure would direct the department of transportation and other governmental entities to rapidly respond to traffic accidents and other obstructions on highways, roads, and streets, and to clear these accidents and obstructions as expeditiously as possible. The state auditor would be directed to identify and establish performance benchmarks on this requirement and to investigate and track progress on these benchmarks.

A portion of the revenues collected through the levy of the state sales tax (15% of the amount of sales tax revenue collected from the sale of motor vehicles, except for retail car rentals) would be placed in a Reduce Traffic Congestion Account established by the measure.

In addition to the sales revenues, the following revenues would be placed in the new account: certain tolls and charges; revenue from certain infractions dedicated to reducing traffic congestion; and one-half of one percent (.05%) of the money appropriated for any transportation-related public works project. (Funds previously dedicated to the acquisition of art for such projects would be redirected to use for traffic congestion.) Revenue from infractions detected with the use of automated traffic safety cameras would also be deposited in the Reduce Traffic Congestion Account.

Moneys in the Reduce Traffic Congestion Account could be spent only after appropriation, and could be used for only the following purposes: to pay for costs associated with the opening of carpool lanes to all traffic during non-peak hours; to pay for costs associated with synchronizing traffic on heavily-traveled arterials and streets; to provide increased funding for emergency roadside assistance; to provide funding for the activities of the state auditor in implementing the measure; and to otherwise reduce traffic congestion. However, the fund could not be used for creating, maintaining, or operating bike paths or lanes, wildlife crossings, landscaping, park and ride lots, ferries, trolleys, buses, monorail, light rail, or heavy rail.

The measure would limit the use of revenue from new tolls and charges on bridges and other toll facilities. Except for tolls relating to the Washington state ferries, revenue from new tolls that exceeds the cost of construction, operation, or maintenance of toll facilities and new capital improvements to highways, freeways, roads, bridges, and streets, would be deposited in the Reduce Traffic Congestion Account and spent in accordance with the above-described purposes of that account.



Statement For Initiative Measure 985

I-985 IMPLEMENTS COMMON SENSE REFORMS BASED ON RECOMMENDATIONS FROM STATE AUDITOR BRIAN SONNTAG'S THOROUGH INVESTIGATION

Requiring local governments to synchronize traffic lights on heavily-traveled arterials and streets – this single reform reduces traffic congestion 6-7%. Clearing out accidents faster – absolutely. Opening carpool lanes to everyone during non-peak hours – it's what other states do and illustrates that increased capacity reduces congestion. But politicians arrogantly refuse to implement ANY of Auditor Sonntag's recommendations.

STATE AUDITOR BRIAN SONNTAG'S 2007 REPORT: "CITIZENS HAVE IDENTIFIED CONGESTION AS A PRIORITY, AND THEREFORE ...

... SO MUST THE DEPARTMENT OF TRANSPORTATION AND THE LEGISLATURE." Democrat Sonntag's performance audit on transportation reported 80% of citizens wanted "reducing traffic congestion" to be the top transportation priority. Taxpayers pay billions in taxes and fees every year – they expect their money to strongly support the people's top transportation priority: reducing the time it takes to drive our vehicles from point A to point B. Sonntag's audit and I-985 advocate getting better use from existing streets and highways while also addressing chokepoints with increased capacity to significantly reduce travel times for everyone. Approving I-985 tells politicians that voters want this approach.

I-985 DEDICATES EXISTING TRANSPORTATION-RELATED REVENUES THAT ARE CURRENTLY BEING DIVERTED TO NON-TRANSPORTATION SPENDING

I-985 DOESN'T RAISE TAXES, instead it dedicates red light camera profits, a small portion of vehicle sales taxes, and "1/2% for reducing congestion" for any transportation-related project (removes "1/2% for public art") to reducing congestion. I-985 guarantees that tolls won't be diverted to non-transportation spending, dedicating it instead to its project. And I-985 empowers Auditor Sonntag to track revenues and expenditures, helping implement I-985's reforms and reporting regularly to the public on its progress.

WASHINGTON'S THE 5TH HIGHEST TAXED STATE IN THE NATION – I-985 KEEPS US FROM HITTING #1

Taxpayers are tapped out. I-985 tells politicians to prioritize, spending what we already pay more effectively. Vote Yes.

For more information, visit www.ReduceCongestion.org or call (425) 493-8707.

Rebuttal of Statement Against

Opponents' proposals *force taxpayers to pay more* – I-985 forces politicians to spend existing revenues more effectively, implementing immediate, cost-effective solutions.

Sonntag hired world-class transportation experts – their professional, independent analysis showed Sonntag's reforms will reduce congestion 15-20%, provide \$3 billion boost to our state's struggling economy **BENEFITING EVERYONE**. I-985's opening HOV (express, carpool, bus-only) lanes during non-peak hours reduces congestion.

Tell politicians: don't take more from taxpayers, adopt Sonntag's growing list of audit recommendations.

Voters' Pamphlet Argument Prepared by:

ERMA TURNER, beauty shop owner, gathered 3,288 signatures, Cle Elum; STEVEN BENCZE, retired warehouseman, fisherman/hunter, gathered 2,567 signatures, Othello; ERIC PHILLIPS, hiker, label company owner, gathered 2,255 signatures, Everett; KAREN CURRY, housewife, husband Lee (plumber), gathered 1,789 signatures, Yakima; ANDRE GARIN, retired postal worker, bowler, gathered 1,469 signatures, Vancouver; MIKE DUNMIRE, husband, community leader, retired businessman, initiative volunteer, Woodinville.

Statement Against Initiative Measure 985

VOTE NO ON I-985 BECAUSE IT TAKES AWAY MONEY FROM THINGS WASHINGTON RESIDENTS BADLY NEED.

I-985 is really about shortchanging local communities and working families, not relieving congestion. I-985 siphons more than \$600 million in sales taxes over 5 years, from taxpayers all across the state, to pay for *a handful of mostly Seattle-area highways*.

Paying for I-985 will either require new taxes, or cuts in schools, criminal justice, and other priorities. The state is already facing a budget deficit. *I-985 makes a bad situation worse. Bad idea. Vote no.*

I-985 INCREASES THE COST OF TRANSPORTATION PROJECTS IN EVERY PART OF THE STATE.

I-985 takes half a percent of state money from transportation projects everywhere in Washington for a special fund that *won't benefit local traffic*. Local communities will have to pay more to make up the difference.

People from the four corners of the state shouldn't pay more for road projects only where congestion is worst. Unfair. Vote No.

SOUND BITES DON'T FIX TRAFFIC: INDEPENDENT TRAFFIC ENGINEERS THINK THAT I-985 COULD MAKE CONGESTION WORSE.

I-985 orders big changes that haven't been thought through or tested. For example: it would open up city bus-only lanes to cars. That would complicate traffic *and* make bus trips slower.

Worse, I-985 could *create new crash hazards*. Left-hand freeway ramps designed only for high occupancy vehicles would be open to more traffic, risking unexpected backups, accidents, and even ramp closures to preserve safety. *Don't make traffic worse. Vote no.*

I-985 DOESN'T TELL YOU EXACTLY HOW AND WHERE CONGESTION FUNDS WILL BE SPENT.

I-985 creates a new pot of money, but doesn't say specifically how it will be used. Initiatives shouldn't be vague on what will be done with your money. *Demand accountability. Vote no.*

For more information, visit www.NoOn985.com or call (877) 871-8051.

Rebuttal of Statement For

Don't be fooled. I-985 Actually Makes Traffic Worse. Read Auditor Sonntag's Report!

His experts didn't recommend monkeying with carpool lanes.

Or taking taxes from other programs to spend on a few highway projects. (Besides, art funding's a myth; state highway money doesn't go to art!)

With I-985, *taxpayers pay more and transportation actually gets worse.*

Join traffic experts, mayors, educators, and business, civic and union leaders. Reject *bad tax policy and backwards traffic ideas. Vote No!*

Voters' Pamphlet Argument Prepared by:

JOHN STANTON, businessman and civic leader on transportation reform; CAROL MOSER, State Transportation Commission (own, not Commission, behalf), Richland; DOUG MACDONALD, former Secretary, Washington State Department of Transportation; CARY BOZEMAN, Mayor, City of Bremerton, former Mayor, Bellevue; MIKE O'BRIEN, Chair, Sierra Club Cascade Chapter; DENIS HAYES, environmental leader and co-founder of Earth Day.



INITIATIVE MEASURE 1000

Proposed by Initiative Petition

Official Ballot Title:

Initiative Measure No. 1000 concerns allowing certain terminally ill competent adults to obtain lethal prescriptions.

This measure would permit terminally ill, competent, adult Washington residents, who are medically predicted to have six months or less to live, to request and self-administer lethal medication prescribed by a physician.

Should this measure be enacted into law?

Yes [] No []

Note: The Official Ballot Title was written by the Attorney General as required by law. The Explanatory Statement was written by the Attorney General as required by law. The Fiscal Impact Statement was written by the Office of Financial Management. For more in-depth fiscal analysis, visit www.ofm.wa.gov/initiatives. The complete text of Initiative Measure 1000 begins on page 33.



Fiscal Impact Statement

Fiscal Impact Statement for Initiative 1000

Initiative 1000 would require health care providers writing a prescription or dispensing medication under this act to file a copy of the dispensing record with the Washington State Department of Health. The Department would be required to create and make available to the public an annual statistical report of information collected. The Department would adopt rules on the process for collecting this information. One-time rule-making costs are estimated at **\$60,000**. Ongoing data collection and reporting costs are estimated at **\$19,000 per biennium**. Total costs for the 2009–11 biennium are **\$79,000**.

Assumptions for Fiscal Analysis of Initiative 1000

The Department of Health will incur one-time costs in fiscal year 2010 for rulemaking. This includes the cost of conducting three rule-making hearings across the state, associated staff and related expenses, meeting room rentals, Office of Attorney General services, travel, printing and postage. Rule-making costs are estimated at **\$60,000**.

Starting in fiscal year 2010, the Department of Health would have ongoing costs for staff required to collect and report the data identified in section 15 of this act. Staff and associated costs are estimated at **\$19,000** for the 2009–11 biennium.





INITIATIVE MEASURE 1000

Explanatory Statement

The law as it presently exists:

Under existing Washington law, it is a crime for any person, including a physician, to knowingly assist another person in attempting suicide. Knowingly causing or aiding another person to attempt suicide is a class C felony. Washington's Natural Death Act states that nothing in that Act shall be construed to condone, authorize, or approve mercy-killing or physician-assisted suicide, or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying. Death certificates are required to state the cause of death within the best knowledge or belief of the attending physician or medical attendant, or the health officer, coroner, or prosecuting attorney having jurisdiction. A physician or other medical license holder who is convicted of a felony related to the practice of the person's profession is subject to professional discipline, including license suspension or revocation.

The effect of the proposed measure, if approved:

This measure would allow a terminally ill, competent, adult Washington resident who is medically predicted to have six months or less to live, to request and self-administer lethal medication prescribed by a physician. The attending physician with primary responsibility for care of the patient would be required to determine that the patient has an incurable, irreversible disease expected to cause death within six months; that the patient is competent; that the patient has demonstrated Washington residency; that the request is voluntary; and that the patient is making an informed decision. A second, consulting physician, would be required to confirm that the patient is terminally ill, competent, and has made an informed and voluntary decision. The measure defines competent as having the ability to make and communicate an informed decision to health care providers. The measure defines an informed decision as a qualified patient's decision to request and obtain a lethal prescription, based on an appreciation of the relevant facts and after being fully informed by the attending physician of his or her diagnosis, prognosis, the risks and probable result of ingesting the medication, and feasible alternatives.

The attending physician would be required to recommend that the patient notify the patient's next of kin, but the patient would not be required to do so. If the attending or consulting physician believes the patient's judgment may be impaired by a psychiatric or psychological disorder or depression, the physician would be required to refer the patient to a psychiatrist or psychologist for counseling. Lethal medication could not be prescribed until the counselor determines that the patient's judgment is not impaired. Immediately before writing the prescription, the attending physician would be required to verify that the patient is making an informed decision.

The measure would require a patient to make one written and two oral requests to the attending physician for the lethal medication. The patient would have the right to rescind the request at any time, and in any manner, regardless of his or her mental state. The physician would be required to offer the patient an opportunity to rescind the request when the second oral request is made. A 15-day waiting period between the first and second oral requests would be required, and a 48-hour waiting period between the written request and the writing of the prescription would be required. The measure would require that the written request of the patient be substantially in a form contained in the measure. The form includes a statement that the patient is of sound mind and is making a voluntary request, has a terminal disease, has been informed of the likely effect of taking the lethal medication and feasible alternatives, that the patient understands the right to rescind the request at any time, and an indication of whether the patient's family has been informed.

Two persons would be required to witness the patient's written request and to attest that, to the best of their knowledge, the patient is competent, acting voluntarily, and not being coerced. The measure would require that one witness not be a relative; not be the patient's attending physician; not be entitled to a portion of the patient's estate; and not own, operate, or be employed by a health care facility where the patient is a patient or resident. If the patient is an inpatient at a health care facility, one witness would be required to be designated by the facility. The measure would require attending physicians to document compliance with its requirements.

Persons participating in good faith compliance with the measure, including being present when a qualified patient takes the prescribed lethal medication, would not be subject to criminal or civil liability, or professional disciplinary action. Any person who willfully alters or forges a request for lethal medication without the patient's authorization, conceals or destroys a rescission





INITIATIVE MEASURE 1000

Explanatory Statement (continued)

with the intent to cause the patient's death, or coerces or exerts undue influence on a patient to request lethal medication or destroy a rescission, would be guilty of a class A felony.

Provisions in wills, contracts, or agreements purporting to affect the ability to make or rescind a request for lethal medication would be invalid. Life, health, or accident insurance or annuity policies, and rates charged for them, could not be conditioned on or affected by making or rescinding a request for lethal medication. A qualified patient's ingestion of lethal medication would have no effect on a life, health, or accident insurance or annuity policy.

The measure would not require a health care provider or facility that is unable or unwilling, to provide a prescription for lethal medication. If a health care provider or facility is unable or unwilling to carry out a qualified patient's request for lethal medication, and the patient transfers his or her care to a new provider, the prior provider would be required to transfer a copy of the patient's relevant medical records to the new health care provider, upon the patient's request. With advance notice, a health care facility that chooses not to participate under this measure may prohibit other health care providers from participating on the facility's premises.

The measure would not prevent a health care provider from participating in the measure while acting outside the provider's capacity as an employee or independent contractor. In addition, the measure would not authorize a health care provider or facility to sanction a physician or counselor for making an initial determination that a patient has a terminal disease; informing the patient of the medical prognosis; providing information about the measure at the patient's request; or providing information regarding this measure or a referral to another physician at the patient's request.

State reports would refer to practices under the measure as obtaining and self-administering life-ending medication, and not as suicide or assisted suicide. The patient's death certificate would be required to list the underlying terminal disease as the cause of death.

The state Department of Health would be required to annually review all records maintained under the measure and to adopt rules for collecting information relating to compliance with the measure. Health care providers that prescribe or dispense lethal medication under the measure would be required to file a report with the Department of Health. Information collected by the Department of Health would not be public. The Department of Health would be required to annually produce a public statistical report of collected information.



Statement For Initiative Measure 1000

YES ON I-1000: IT'S MY DECISION

A YES vote FOR I-1000 allows mentally competent, terminally ill adults with six months or less to live to receive – under strict safeguards – a prescription for life-ending medication. This choice belongs exclusively to the terminally ill individual. Government, politicians, religious groups and others should not dictate these personal decisions.

TEN YEARS OF DIGNITY IN OREGON

I-1000 mirrors an Oregon law that has been in place for over 10 years. The Oregon law was upheld by the U.S. Supreme Court and approved twice by voters.

Earlier this year, *The Oregonian* newspaper wrote that the law “helped elevate end-of-life care” and that “in a decade of experience with the law, no abuses have shown up.” *The Seattle Times* added that “those it affects, and their families, will be thankful for its passage.”

Independent studies of Oregon’s Death with Dignity law prove that the safeguards protect patients, prevent misuse and coercion, and allow mentally competent, terminally ill patients the option of a peaceful, dignified death. People with terminal cancer and AIDS would have the right to decide whether to end their intolerable suffering.

SAFEGUARDS WORK

There are multiple safeguards in Washington’s death with dignity law. These safeguards include independently witnessed oral and written requests, two waiting periods, mental competency and prognosis confirmed by two physicians, and self-administration of the medication. Only the patient – and no one else – may administer the medication.

YES ON I-1000: DEATH WITH DIGNITY

I-1000 asks, “Who should decide these difficult end-of-life questions?” We say the decision belongs with the patient and their family, and no one else.

For more information, visit www.yeson1000.org or call (206) 633-2008.

Rebuttal of Statement Against

Suffering, terminally ill adults should have the right to make their own end-of-life choices.

Opponents of I-1000 – funded largely by one religious group – want to impose their views on everyone.

Independent studies of Oregon’s law show no abuse (www.oregon.gov/DHS).

No one is forced to use it.

I-1000 has the same safeguards as Oregon’s law.

The Washington Public Health Association, American Medical Women’s Association, thousands of doctors, nurses, disabled people, clergy, citizens and patients endorse I-1000.

Voters’ Pamphlet Argument Prepared by:

GOVERNOR BOOTH GARDNER (D); GOVERNOR DANIEL J. EVANS (R); TOM PRESTON, MD; DOROTHY H. MANN, PhD, M.P.H.; REV. BRUCE PARKER, D. Min.; LINDA N. OLSON, PhD, RN.

Statement Against Initiative Measure 1000

I-1000 legalizes assisted suicide in Washington. The law is flawed and dangerous.

I-1000 IS DANGEROUS FOR PEOPLE WHO CANNOT AFFORD HEALTH CARE.

Adding I-1000 to our broken, profit-driven health care system puts Washingtonians at risk – anyone with limited access to health care or inadequate health insurance. *In Oregon, patients have been denied chemotherapy but offered assisted suicide instead.*

I-1000 HAS NO REAL SAFEGUARDS.

I-1000 requires almost no government oversight, with no penalties for abuse. It overrides our disclosure laws and requires doctors to falsify death certificates.

I-1000 endangers vulnerable people. Its supposed “safeguards” are inadequate:

- Depressed and mentally ill people can be given lethal drug overdoses.
- Spouses and children need never be told a loved one is being given a lethal drug overdose.
- There is no protection against coercion or financial pressures.

OUR STATE’S LEADING PHYSICIANS’ ORGANIZATION, THE WASHINGTON STATE MEDICAL ASSOCIATION, STRONGLY OPPOSES I-1000.

Proponents say I-1000 provides a choice when dying, but for those who are not wealthy, it could be a choice made by insurers and state bureaucrats; they will have the choice to steer patients toward assisted suicide rather than provide actual end-of-life care.

DISABILITY COMMUNITY LEADERS OPPOSE I-1000.

Recent medical advances assure pain can be controlled and no one need suffer at the end of life. *I-1000 is not needed.*

Dangerous assisted suicide laws have been rejected in 24 states, including here in Washington in 1991. It’s time to reject assisted suicide, again.

VOTE “NO” ON I-1000. IT’S JUST TOO DANGEROUS.

For more information, visit www.noassistedsuicide.com or call (206) 337-2091.

Rebuttal of Statement For

The truth: Assisted suicide in Oregon isn’t dignified. And its safeguards don’t work.

Credible studies show *end of life suffering has increased, not decreased* in Oregon. Depressed and confused people have been coerced into assisted suicide there.

No wonder *The Oregonian* calls the law: “rigged to avoid finding answers.” (3/8/05)

I-1000 offers even fewer protections than Oregon’s law. Washington’s voters *do* want to decide difficult end-of-life questions themselves.

That’s why they’ll vote NO on I-1000.

Voters’ Pamphlet Argument Prepared by:

MARGARITA PRENTICE, State Senator and nurse; CYNTHIA MARKUS, MD, President, Washington State Medical Association; DUANE FRENCH, disability rights leader, Not Dead Yet – Washington; ROSE CRUMB, RN, hospice nurse, founder Volunteer Hospice of Clallam County; DAVID CORTINAS, publisher of *LaVoz* Hispanic Newspaper; LINDA SEAMAN, MD, FAAHPM, board certified hospice and palliative medicine.



INITIATIVE MEASURE 1029

Proposed by Initiative Petition

Official Ballot Title:

Initiative Measure No. 1029 concerns long-term care services for the elderly and persons with disabilities.

This measure would require long-term care workers to be certified as home care aides based on an examination, with exceptions; increase training and criminal background check requirements; and establish disciplinary standards and procedures.

Should this measure be enacted into law?

Yes [] No []

Note: The Official Ballot Title was written by the Attorney General as required by law. The Explanatory Statement was written by the Attorney General as required by law. The Fiscal Impact Statement was written by the Office of Financial Management. For more in-depth fiscal analysis, visit www.ofm.wa.gov/initiatives. The complete text of Initiative Measure 1029 begins on page 40.



Fiscal Impact Statement

Fiscal Impact Statement for Initiative 1029

Beginning January 1, 2010, 75 hours of training would be required for most long-term care workers, up from a maximum of 34 hours now required, depending on the worker's classification. New long-term care workers would have to pass state-financed state and federal background checks. Any long-term care worker hired to care for elderly or disabled persons whose care is paid for by the state would have to be state-certified as a home care aide. Approximately 20,000 new long-term care workers are hired each year. Estimated costs are \$651,000 for fiscal year 2009 and \$29.7 million for 2009–11.

Assumptions for Fiscal Analysis of Initiative 1029

The number of workers who would receive training was developed using the June 2008 Caseload Forecast Council estimate of the number of long-term care clients. Current wage information was used as the basis for wage costs, with no inflationary increases included.

The Department of Social and Health Services would be required to create the curriculum for the 75 hours of required training, with input from consumer and worker representatives. The training would include five hours of basic safety information and orientation that must be completed before the long-term care worker begins employment. The remaining 70 hours must be completed within 120 days of the worker being hired and can include 12 hours of structured peer mentoring. Workers would be paid wages for the time they attend required training classes. The cost of the new training would be \$14.8 million for 2009–11. Computer system costs would be \$251,000 in fiscal year 2009 and \$6.3 million in 2009–11.

The Department of Social and Health Services would obtain background checks, including fingerprints, at a cost of \$2 million in 2009–11. There would be no cost to the worker for background checks. The Department of Health would obtain state background checks on all applicants and federal background checks on applicants who have criminal records or are from out of state at a cost of \$700,000 in 2009–11. These background checks would duplicate the background checks done by the Department of Social and Health Services as current state and federal law prohibits agencies from sharing background check information.

There would be exceptions to the 75-hour training requirement. Parents who become individual providers to care for their developmentally disabled adult child would be required to complete 12 hours of mandatory training, and would be exempted from the annual continuing education requirement. Individual providers who provide less than 20 hours of care per month and those who care for their own parent or adult child with long-term care needs other than developmental disabilities would be required to complete 35 hours of training. These individual providers would be exempted from the annual continuing education requirement until June 30, 2014.





INITIATIVE MEASURE 1029



Fiscal Impact Statement (continued)

The Department of Health would certify workers who complete the required training and pass a background check within the first 150 days of employment. This analysis assumes that the Department of Health would set certification fees to cover its program costs. Fees would be paid by workers applying for certification or renewing their certification. Workers would not be paid for the time spent taking the certification exam. The costs of preparing and administering the new certification program would be \$71,000 in fiscal year 2009 and \$3.2 million in 2009–11.

The analysis reflects exceptions to the certification requirement for individuals caring for their parent or adult child and those hired as an individual provider who works less than 20 hours per month. To maintain certification and employment, a home care worker would be required to complete 12 hours of continuing education courses each year.

The combined costs for rule making, contract administration and curriculum development for the Department of Health and the Department of Social and Health Services would be \$329,000 in fiscal year 2009 and \$2.6 million in 2009-11. The fiscal analysis of Initiative 1029 does not include any expenses associated with implementation of Chapter 361 of the Laws of 2007, which expanded training offered to long-term care workers beginning January 1, 2010.

Explanatory Statement

The law as it presently exists:

Long-term care workers assist the elderly and persons with disabilities in the homes of the people they assist or through assisted living facilities, adult family homes, or state-licensed boarding homes. Long-term care workers also include respite care providers, community residential service providers, and any other worker who directly provides home or community-based services to the elderly or persons with functional or developmental disabilities. Long-term care workers do not include employees of nursing homes, hospitals or other acute care facilities, adult day care centers, or adult day health care providers. Assistance by long-term care workers may include help with eating, dressing, bathing, meal preparation, household chores and other assistance with daily life. Long-term care workers might provide this assistance under a direct contract with the State as an individual provider, or they might be employees of home care agencies or other facilities.

Long-term care workers are currently required to receive two types of training through the Department of Social and Health Services. These training programs are referred to as “orientation” and “basic training,” and together comprise approximately 34 hours of training. Orientation must be completed before working with elderly or disabled people, and provides introductory information about providing care. No test is required after completing orientation. Basic training includes core knowledge and skills that long-term care workers need to provide personal care services effectively and safely, and must be completed within 120 days after being authorized to provide services. Certain health care workers can instead take a modified form of basic training. A competency test is required after completing basic training. Long-term care workers are also required to receive training in first aid and cardio-pulmonary resuscitation. Each year they are also required to fulfill at least ten hours of continuing education. Parents who receive financial assistance from the State to provide care for their developmentally disabled child are not subject to those requirements, but must complete a separate six-hour training program.

Under recently enacted laws, some of these training requirements will increase in 2010. These include increasing the requirement for continuing education from ten to twelve hours each year, and adding a requirement for on-the-job training or peer mentorship and the opportunity to voluntarily take up to 65 hours of advanced training.

Long-term care workers must also be screened, through a criminal background check, to determine whether they have a criminal history that would disqualify them from working with vulnerable persons. These checks are performed against Washington State Patrol records in order to search for criminal convictions in Washington. If the worker has lived in Washington for less than three years, then a fingerprint-based check is conducted through the Federal Bureau of Investigation (FBI).

State law does not require that long-term care workers be licensed or certified by the State.





INITIATIVE MEASURE 1029

Explanatory Statement (continued)

The effect of the proposed measure, if approved:

This measure would require that all long-term care workers for the elderly or disabled hired after January 1, 2010, be certified by the state Department of Health as a “home care aide” within 150 days of being hired. In order to receive this certification, the worker would be required to complete 75 hours of training as a home care aide and pass a certification examination.

Long-term care workers would be required to satisfy the minimum training requirements proposed in the measure within 120 days of employment. All training curriculum would be approved by the state Department of Social and Health Services. The first five hours of the training would be completed before being eligible to provide care, including two hours of orientation to the role of the caregiver and three hours of safety training, including basic safety precautions, emergency procedures, and infection control. The remaining 70 hours would relate to basic training topics, including communication skills, worker self-care, problem solving, maintaining dignity, consumer directed care, cultural sensitivity, body mechanics, fall prevention, skin and body care, long-term care worker roles and boundaries, supporting activities of daily living, and food preparation and handling. The training must also address matters relating to specific populations, such as mental health, dementia, developmental disabilities, young adults with physical disabilities, and older adults. Individual providers must be paid for time spent in training.

After completing training, the long-term care worker must pass an examination in order to be certified as a home care aide. The examination must include both a skills demonstration and a written or oral knowledge test.

The measure would provide exceptions to the certification and training requirement. Certain nurses and nursing assistants and medicare-certified home health aides may receive certification by passing the examination without taking the training and, to the extent permitted by federal law, certain reciprocity would be required between home care aide certification and nursing assistant certification. People employed as long-term care workers prior to January 1, 2010, who have completed all current training requirements, would also be excused from obtaining certification. Also, individuals caring only for their own parent or child, and long-term care workers employed by supported living providers, need not be certified. Long-term care workers covered by the certification and training requirements do include only people paid by the State or by a private agency or facility licensed by the State to provide personal care services.

All long-term care workers would be required to receive at least 12 hours of continuing education training each year in order to retain a certification. This annual continuing education requirement would not apply to a person caring only for his or her own child.

The measure would affect part-time workers differently than full-time workers. Before January 1, 2014, a person working 20 hours or less providing care for one person in a calendar month would be required to receive 35 hours of training. Five of those hours must be completed before providing care, including two hours of orientation training and three hours of safety training. Part-time workers would also be excused from the annual continuing education requirement until January 1, 2014. The full training requirements of the measure would apply to these part-time long-term care workers as of January 1, 2014, and the certification requirement would apply as of July 1, 2014.

The requirement that long-term care workers be screened through criminal background checks would be broadened for all workers hired after January 1, 2010. The background checks must include checking against FBI fingerprint identification records and against the national sex offender registry. The State would be required to pay the costs of these background checks.

The measure also includes training requirements for people who receive payments from the State to provide care for certain family members. Those providing care for their own child or parent, other than to a developmentally-disabled child, must receive 35 hours of training. Five of those hours must be completed before providing any state-paid care, including two hours of orientation training and three hours of safety training. Parents who contract through the State to provide care for their developmentally disabled child would be required to receive 12 hours of training within the first 120 days of so contracting.

The measure would also increase the requirement that the State offer advanced voluntary training for long-term care workers from 65 to 70 hours of voluntary advanced training, by January 1, 2011.

The measure would prohibit the State from paying for long-term care services by providers who do not comply with the requirements of this measure. It would permit the State to terminate any contracts with providers, or take enforcement actions against providers, who fail to comply with the measure. The measure would also make certified long-term care workers, and the licensed agencies or facilities that employ them, subject to State oversight and discipline, including the potential suspension or revocation of certificates for misconduct.



Statement For Initiative Measure 1029

All of us want safe, quality care for friends and family who are elderly, sick, disabled, and vulnerable to injury or abuse. Yet currently, manicurists and hairdressers have stricter training and certification requirements than caregivers for elderly relatives and those with disabilities.

Initiative 1029 will improve long-term care by increasing training standards, requiring state certification, and mandating FBI criminal background checks.

I-1029 exempts unpaid providers and those caring for their parents and children.

YES ON I-1029: IMPROVED TRAINING WILL MEAN MORE DEPENDABLE CARE FOR WASHINGTON SENIORS.

Thousands of Washington residents with Alzheimer's, dementia, and developmental disabilities receive care in their own homes. I-1029 will increase training requirements to 75 hours and require state certification for caregivers — equal to federal standards for nursing homes.

YES ON I-1029: PROTECT VULNERABLE SENIORS WITH EXPANDED FBI CRIMINAL BACKGROUND CHECKS.

Most caregivers are compassionate, loving professionals but we've all seen headlines about tragic cases of abuse and neglect. For example, in July caregivers at an Everett adult family home were arrested for identity theft. They stole thousands from an 83-year old man with dementia. I-1029 will protect vulnerable seniors by requiring nationwide FBI background checks.

YES ON I-1029: A SMART INVESTMENT THAT HELPS SENIORS STAY AT HOME.

Home and community-based care is more cost effective than expensive institutions, and saves taxpayers' money. I-1029 is a responsible investment to ensure that seniors can find trained caregivers they need to live independently in their own homes.

YES ON I-1029: BACKED BY SENIORS, NURSES, HOME CARE WORKERS, FIREFIGHTERS, POLICE, PROSECUTORS, AND SHERIFFS.

I-1029 is based on a bi-partisan compromise worked out to improve care while controlling costs. It is backed by senior advocates, thousands of nurses and home care workers, Democratic and Republican legislators, State Council of Firefighters, Fraternal Order of Police, and sheriffs and prosecutors across Washington State.

For more information, visit www.yeson1029.org or call 1 (888) 224-3851.

Rebuttal of Statement Against

Senior advocates, nurses and home care workers endorse I-1029. Improved training equals improved care. I-1029 applies to professional caregivers; 85% of family and intermittent caregivers are exempt.

Police, prosecutors and sheriffs endorse I-1029. It protects seniors by closing loopholes and requiring nationwide FBI background checks.

The Governor and legislators including House Republican leader DeBolt and Senate Democratic Leader Brown endorse I-1029. It reflects the 85 hour training recommendation of the "Governor's Task Force." <http://www.governor.wa.gov/ltctf/default.htm>

Voters' Pamphlet Argument Prepared by:

LOUISE RYAN, Washington State Long-Term Care Ombudsman; NANCY DAPPER, executive director, Alzheimer's Association of Western/Central Washington; MARTY LEVINE, MD, Geriatrician, Medical Chief, Group Health Burien; KAREN KEISER, State Senator, Chair, Senate Health Care Committee; BLANCHE RAZO, 73, home care client with lung disease, emphysema; KATHY GOLD, RN, nurse who inspects long-term care facilities, Everett.

Statement Against Initiative Measure 1029

I-1029 SHOULD BE REJECTED – IT HURTS FAMILIES, CAREGIVERS AND TAXPAYERS.

I-1029 makes it harder for families to provide care for loved ones. It forces many families to undergo 75 hours of training, fingerprinting and intensive background checks with FBI and national sex offender data bases – all before receiving state support to care for their own children or parents! Training may be difficult to get, especially in rural areas.

Neighbors and community members providing part-time care would face the same unnecessary requirements. Many will stop providing care. There are already shortages of in-home and community caregivers – we cannot afford to lose more. Non-career caregivers help keep families together. *I-1029 makes it harder to keep loved ones at home* and out of expensive institutional care.

I-1029 DRIVES UP COSTS FOR EVERYONE.

Health care costs are already skyrocketing. It *wastes tens of millions of taxpayer dollars* that could provide other vital services.

Don't be misled – *I-1029 won't improve care.* Background checks are already required for most caregivers. A governor's task force found no evidence that an arbitrary, 75-hour classroom training standard improves quality. Today, training and supervision is tailored to the diverse needs of those in our care. I-1029's rigid requirements won't allow that.

DEMOCRATIC AND REPUBLICAN LEGISLATORS OVERWHELMINGLY REJECTED THESE PROPOSALS AS UNNECESSARY, INEFFECTIVE AND TOO EXPENSIVE.

Washington has a quality care system – the National Conference of State Legislatures named it one of the top three models for other states to follow.

KEEP FAMILIES TOGETHER! KEEP COSTS LOW! REJECT I-1029!

For more information, visit www.communitycarecoalitionwa.org or call 1 (877) 488-8565.

Rebuttal of Statement For

I-1029 isn't about improving care. Background checks are already performed. Training comparisons between jobs are misleading campaign tactics. Independent studies confirm caregivers are well trained.

I-1029 improves one special interest's finances. They're trying to write the rules and then get paid by taxpayers to deliver training. We can't afford I-1029. By wasting millions on unnecessary training, I-1029 means less money for solving real problems.

Legislators said no. Reject this self-serving end-run around our elected officials!

Voters' Pamphlet Argument Prepared by:

DARLENE STORTI, Board Chair, Aging Services of Washington; JOE MAYO, President, Home Care of Washington, Spokane; HELEN SOMMERS, State House of Representatives Appropriations Chair, Seattle; RON RALPH, member, Advocates for Developmental Disabilities Choices, parent, Seattle; MARY MARGARET CORNISH, Chair, Community Residential Services Association, Yakima; CRAIG FREDRICKSON, member, Governor's Caregiver Training Workgroup.



AN ACT Relating to reducing traffic congestion on public highways, freeways, streets, and roads: amending RCW 46.61.165, 47.66.090, 47.56.403, 82.08.020, 43.17.200, 43.46.090, 47.56.030, 47.56.160, and 47.56.170; reenacting and amending RCW 46.63.110; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 47.01 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 46.68 RCW; creating new sections; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

POLICIES AND PURPOSES

NEW SECTION. Sec. 1. During these tough economic times, the people deserve a common sense proposal to reduce traffic congestion by implementing basic congestion relief strategies and improving Washington's transportation system with better use of existing public resources.

In 2005, the voters of Washington overwhelmingly approved Initiative 900 granting the state auditor the power to conduct independent, comprehensive performance audits of state and local governments. The auditor was hired by the people to determine ways for government to deliver services as effectively and efficiently as possible. Through extensive outreach with citizens, including focus groups and town hall meetings, in 2006, the state auditor learned that eighty percent of citizens said reducing traffic congestion is their number one transportation priority. Traffic congestion incurs incredible costs to citizens, businesses and government; it is an important aspect of transportation and is an indicator of how well the state's transportation system is working. Reducing traffic congestion means minimizing vehicle trip delays, the amount of time it takes a vehicle to get from point A to point B. So the state auditor contracted with the prestigious auditing firm of Talbot, Korvola and Warwick, LLP who brought years of experience in performance auditing. They hired subject-matter experts with internationally recognized experience in traffic and congestion management. Members of the audit team had more than two hundred years' of cumulative experience auditing transportation systems. In October 2007, the state auditor released the results of their independent performance audit report "Managing and Reducing Congestion." Their number one finding was that traffic congestion relief is not a top priority of the department of transportation so the audit's fundamental recommendation was: "Commit to congestion management and reduction as a primary goal." The anger, defensiveness, and condescending dismissal of the report by the department of transportation, the legislature, and the governor was swift and resolute. The new head of the department of transportation rejected the recommendations on the day they were released. House of representatives and senate transportation committees refused to acknowledge the report or even hold a public hearing as required under Initiative 900. At the public hearing held by an unaffiliated legislative committee, legislators lashed out at the state auditor for even broaching the topic. The governor's

chief of staff said citizens do not understand transportation and simply take for granted what government does. Legislators quoted from statutes that no longer existed to defend the status quo. Some promised legislative retribution on the state auditor and interference in future audits, which is illegal under Initiative 900. The state auditor identified and retained internationally recognized experts in state, federal and international transportation issues. Their recommendations are crystal clear. This act provides voters with the opportunity to implement the strategies recommended in the report that will have an immediate impact on reducing traffic congestion using existing infrastructure and resources. Upon its approval by the voters, it is incumbent upon the department of transportation, the legislature, and the governor to listen to the people and make traffic congestion management and reduction the primary goal of transportation. As State Auditor Brian Sonntag says in his accompanying letter to the report: "Citizens have identified congestion as a priority, and therefore, so must the Department (of Transportation) and the Legislature." It is clear from the establishment's reaction to this transportation performance audit that the only way for voters to change the attitude of those in power is to approve this act.

This measure would open carpool lanes during non-peak hours, require synchronization of traffic lights on heavily-traveled arterials and streets, increase funding for emergency roadside assistance, and dedicate a portion of existing vehicle-related revenue for these purposes.

The intent of sections 2 and 3 of this act: We all pay taxes for our carpool lanes, so everyone should be allowed to use them at least some of the time. This act strikes a reasonable balance by allowing our carpool lanes to be open to everyone during non-peak hours, meaning midday and evenings on weekdays and all day and all night on weekends. Existing road capacity must be utilized to maximize its effectiveness. How can we increase road capacity and reduce traffic congestion on our most congested highways and roadways without spending billions of dollars? By opening our carpool lanes to everyone during non-peak hours. This will quickly, significantly, and cost-effectively relieve traffic congestion and increase traffic flow on our most congested highways and roadways and illustrate that increased road capacity results in reduced traffic congestion. These sections do not create or impose new tolls on carpool lanes; but if tolls or charges are imposed on carpool lanes, then these sections ensure that the toll revenue is used to reduce traffic congestion.

The intent of sections 4 and 15(1)(b) of this act: due to the voters' approval of Initiative 960 in 2007, any tolls or charges must be decided and approved by a simple-majority vote of the Legislature, not unilaterally imposed by unelected bureaucrats on the transportation commission. Such decisions are too important and too impactful to be made by anyone other than our elected representatives.

The intent of sections 5 and 6 of this act: To increase traffic flow and reduce traffic congestion, each city must synchronize the traffic signals on heavily-traveled arterials and streets within its jurisdiction. Heavily-traveled arterials and streets include routes of regional and local significance and include major and secondary arterials and streets. For heavily-traveled arterials and streets outside of a city, the county must synchronize the traffic signals. For



heavily-traveled arterials and streets that are the responsibility of the state or other local government, it is the responsibility of the state or other local government to synchronize the traffic signals. What is the use of having a top-notch Medic One system if it simply gets stuck in traffic? Synchronizing traffic lights ensures increased traffic flow, reduced traffic congestion, and better safety. Transferring goods to and from our ports, and other freight mobility necessities, are hampered by stop-and-go traffic at successive traffic lights. Reducing traffic congestion and increasing traffic flow is critical for freight mobility. Synchronization of traffic signals is a coordinated set of timing plans for a group of signals on arterials and streets used to facilitate smooth traffic flow. The objective of synchronizing traffic signals is to allow progression through arterials and streets with the fewest stops at intersections, while minimizing delay for the side street. Synchronizing traffic lights creates more uniform speeds along streets, increases traffic flow, reduces time delays at intersections, and creates opportunities for traffic from side streets to safely enter a main street. This act helps cities, counties, and other governments fund these improvements.

The intent of section 7 of this act: Traffic accidents and other temporary obstructions greatly hinder the smooth flow of traffic and must be responded to and cleared as quickly as possible. This involves coordination, communication, equipment, and manpower. A blocked highway or roadway can result in miles of backups and long delays. A large portion of all traffic congestion is caused by collisions, disabled vehicles, spills, and other events that impede the normal flow of traffic. An initial incident has the potential for creating secondary incidents such as vehicles running out of fuel or overheating, or collisions that occur from lane changing and rapid braking in the initial incident's traffic backup. The quicker the initial incident is cleared, the less time motorists and response personnel are exposed to traffic hazards and the possibility of a secondary collision. The Washington state department of transportation and other government entities and contracted companies, including tow truck operators, must expeditiously assist in the safe, prudent, and quick removal of vehicles and other debris involved in traffic accidents or other temporary obstructions. The people want the roads cleared and drivers helped as quickly as possible to reduce traffic congestion and restore the normal flow of traffic. This act provides increased funding for these programs.

We need to fix what we already have using the taxes we're already paying. Taxpayers can't afford to pay for the mega-platinum option for every mega-project, especially when it's simply to satisfy the aesthetic preferences of Seattle's elite. A perfect example is the decade of debate over the Alaska Way viaduct (Highway 99), a major north-south state highway that everyone is paying for. The people want practical, pragmatic solutions that will reduce traffic congestion, not make it worse. Government too often has a knee-jerk reaction: If their pick-up truck gets a flat tire, rather than repairing the tire, they instead replace the pick-up with a Mercedes. The people want a solution that reduces traffic congestion for the thousands of vehicles that travel over state highways every day, but

at a minimum, it shouldn't be made worse. Taxpayers are already paying billions of dollars in taxes and they expect and demand improvements now, rather than promises of "less bad" decades from now. Taxpayers want transparency and accountability with the focus on solving the problem rather than using the problem to leverage the public to swallow yet another tax increase. It is way past time for the people to get something in return for the taxes they're already paying.

The intent of sections 8 and 9 of this act: In order to reduce traffic congestion, it is essential that existing vehicle taxes be spent on this critical priority. Vehicle purchases generate approximately \$850 million per year in state tax revenue and using 15% of those revenues to reduce traffic congestion is reasonable and prudent. People who purchase vehicles want their taxes to go toward reducing traffic congestion on our roads, streets, and highways at the state and local level.

The intent of section 11 of this act: To provide additional revenue for the policy requirements of this act, moneys collected from fines and civil penalties from red light traffic cameras shall be used to reduce traffic congestion and increase traffic flow.

The intent of sections 12 through 14 of this act: To provide additional revenue for the policy requirements of this act, any transportation-related public works project shall not be required to spend a percentage of its funds on purchases of art, instead a percentage will be dedicated to reducing traffic congestion. Taxpayers don't have bottomless wallets so every dollar possible must go toward the people's top priority: reducing traffic congestion.

The intent of sections 15 through 17 of this act: These sections do not create or impose new tolls; but if tolls or charges are imposed, then these sections ensure taxpayers are protected. There has been talk of simply charging people extra just to drive on existing highways, freeways, roads, and streets, including adding global positioning system (GPS) devices or transponders to vehicles or other methods to collect revenue. If citizens are double-taxed, then any tolls or charges will be used to reduce traffic congestion.

Year after year, Washington voters have repeatedly rejected the business-as-usual, the-only-solution-is-a-tax-increase mentality. During these tough economic times, the people deserve a common sense proposal to reduce traffic congestion and increase traffic flow by implementing basic traffic congestion relief strategies and improving Washington's transportation system with better use of existing public resources.

Reduced traffic congestion ensures a growing, thriving economy that is essential in generating the tax revenue necessary to fund government services.

This measure will make travel times faster immediately on our highways and roadways, reduce traffic congestion, increase traffic flow, increase safety and freight mobility, and result in fewer vehicles idling thus decreasing carbon emissions, all by maximizing the use of existing public resources.

OPENS CARPOOL LANES TO EVERYONE DURING NON-PEAK HOURS

Sec. 2. RCW 46.61.165 and 1999 c 206 s 1 are each amended to read as follows:

The state department of transportation and the local authorities are authorized, subject to the requirements in this section, to reserve all



or any portion of any highway under their respective jurisdictions as carpool lanes, including any designated lane or ramp, for the exclusive or preferential use of public transportation vehicles or private motor vehicles carrying no fewer than a specified number of passengers when ((such)) the limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources. Regulations authorizing ((such)) exclusive or preferential use of a highway facility ((may be declared to be)) are effective ((at all times or)) only at the specified times of day ((or)) and on the specified days designated in this section. In order to reduce traffic congestion, existing road capacity must be utilized to maximize its effectiveness. On and after December 4, 2008, all carpool lanes shall be opened during non-peak hours for use by all traffic otherwise lawfully abiding by the rules of the road of this state, including RCW 46.61.100. This policy shall be in effect for any carpool lane in effect on January 1, 2008, and for any new or expanded carpool lanes designated after January 1, 2008, on any highway, freeway, or roadway in the state. Electronic and nonelectronic signage must be substantially updated and expanded to ensure that drivers are fully alerted to the policies required under this section.

For the purposes of this section:

(1) “Carpool lanes” are high-occupancy vehicle lanes, including express lanes, lanes like those established under RCW 47.56.403, off-ramp bypass lanes, and on-ramp bypass lanes on any highway, freeway, or roadway in the state.

(2) “Non-peak hours” mean midday on weekdays, evenings on weekdays, and all day and all night on weekends.

(a) “Midday on weekdays” is between the hours of 9:00 a.m. and 3:00 p.m. on Monday through Friday;

(b) “Evenings on weekdays” are between the hours of 6:00 p.m. and 6:00 a.m. on Monday through Thursday;

(c) “All day and all night on weekends” is between the hours of 6:00 p.m. on Friday and 6:00 a.m. on Monday;

(d) “Peak hours” are between the hours of 6:00 a.m. and 9:00 a.m. and 3:00 p.m. and 6:00 p.m. on Monday through Friday.

(3) During hours not specified as non-peak hours under this section, the use of carpool lanes by a motor vehicle is limited to those carrying two or more persons, except in the case of a motorcycle, which may use a carpool lane if carrying one or more persons.

(4) A governmental entity, authority, or agency shall not avoid the requirements of this section by redesignating a carpool lane as another name or designation.

(5) To reduce traffic congestion by encouraging traffic to use carpool lanes during non-peak hours, a toll may not be charged on any vehicle in a high-occupancy toll lane under RCW 47.56.403 during non-peak hours, and any tolls or charges imposed and collected for such lanes during peak hours which exceeds the costs identified in section 3 of this act must be deposited in the Reduce Traffic Congestion Account created in section 10 of this act.

This section does not restrict the operation of RCW 46.44.080, 46.61.100, or 46.61.135, thus continuing restricted truck usage of

city streets.

Violation of a restriction of highway usage prescribed by the appropriate authority under this section is a traffic infraction.

Sec. 3. RCW 47.66.090 and 2005 c 312 s 4 are each amended to read as follows:

The high-occupancy toll lanes operations account is created in the state treasury. The department shall deposit ((~~the~~)) only those revenues received by the department as toll charges collected from high-occupancy toll lane users that are necessary to cover the costs of construction and operation of the toll lanes. Moneys in this account may be spent only if appropriated by the legislature. ((~~Moneys in this account may be used for, but be not limited to, debt service, planning, administration, construction, maintenance, operation, repair, rebuilding, enforcement, and expansion of high-occupancy toll lanes and to increase transit, vanpool and carpool, and trip reduction services in the corridor. A reasonable proportion of the moneys in this account must be dedicated to increase transit, vanpool, carpool, and trip reduction services in the corridor. A reasonable proportion of the moneys in this account must be dedicated to increase transit, vanpool, carpool, and trip reduction services in the corridor.~~)) All toll charge revenues exceeding these costs shall be dedicated to reducing traffic congestion and be deposited in the Reduce Traffic Congestion Account created in section 10 of this act.

Sec. 4. RCW 47.56.403 and 2005 c 312 s 3 are each amended to read as follows:

(1) The department may provide, subject to the requirements of RCW 46.61.165, 47.66.090, and any other applicable law, for the establishment, construction, and operation of a pilot project of high-occupancy toll lanes on state route 167 high-occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction of high-occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high-occupancy toll lane pilot project.

(2) Tolls for high-occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high-occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high-occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours as defined in RCW 46.61.165. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel



time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high-occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

- (a) Freeway efficiency and safety;
- (b) Effectiveness for transit;
- (c) Person and vehicle movements by mode;
- (d) Ability to finance improvements and transportation services through tolls; and
- (e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high-occupancy vehicle lane users.

(5) Authorization to impose high-occupancy vehicle tolls for the state route 167 high-occupancy toll pilot project expires if either of the following two conditions apply:

- (a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or
- (b) Four years after toll collection begins under this section.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high-occupancy vehicle lane to a high-occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high-occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with chapter 39.29 RCW.

REQUIRES SYNCHRONIZATION OF TRAFFIC LIGHTS ON HEAVILY-TRAVELED ARTERIALS AND STREETS

NEW SECTION. Sec. 5. A new section is added to chapter 35.21 RCW to read as follows:

(1) To reduce traffic congestion and increase traffic flow, each city must synchronize the traffic lights on heavily-traveled arterials and streets within its jurisdiction to optimize traffic flow. Heavily-traveled arterials and streets include routes of regional and local significance and include major and secondary arterials as defined in RCW 35.78.010. For heavily-traveled arterials and streets outside of a city, the county must synchronize the traffic lights to

optimize traffic flow. For heavily-traveled arterials and streets that are the responsibility of the state or other local government, the state or other local government must synchronize the arterials' and streets' traffic lights to optimize traffic flow. Cities, counties, and other governments must cooperate and coordinate their efforts in implementing this traffic light synchronization mandate. Funding shall be allocated from the dedicated revenue in the Reduce Traffic Congestion Account created in section 10 of this act to assist efforts after January 1, 2008 by cities, counties, and other governments to synchronize traffic lights to optimize traffic flow and reduce traffic congestion.

(2) The state auditor shall identify and establish performance benchmarks using best practices for traffic light synchronization to optimize traffic flow under this section. The state auditor shall investigate and track local governments' progress on these benchmarks and shall provide information on such progress and other relevant information to the public on a regular basis.

NEW SECTION. Sec. 6. A new section is added to chapter 36.01 RCW to read as follows:

(1) To reduce traffic congestion and increase traffic flow, each county must synchronize the traffic lights on heavily-traveled arterials and streets within its jurisdiction to optimize traffic flow. Heavily-traveled arterials and streets include routes of regional and local significance and include major and secondary arterials as defined in RCW 35.78.010. For heavily-traveled arterials and streets in an incorporated city or town, the city or town must synchronize the traffic lights to optimize traffic flow. For heavily-traveled arterials and streets that are the responsibility of the state or other government entity, the state or other government entity must synchronize the traffic lights to optimize traffic flow. Cities, counties, and other governments must cooperate and coordinate their efforts in implementing this traffic light synchronization mandate. Funding shall be allocated from the dedicated revenue in the Reduce Traffic Congestion Account created in section 10 of this act to assist efforts after January 1, 2008 by cities, counties, and other local governments to synchronize traffic lights to optimize traffic flow and reduce traffic congestion.

(2) The state auditor shall identify and establish performance benchmarks using best practices for traffic light synchronization to optimize traffic flow under this section. The state auditor shall investigate and track local governments' progress on these benchmarks and shall provide information on such progress and other relevant information to the public on a regular basis.

**INCREASES FUNDING FOR EMERGENCY
ROADSIDE ASSISTANCE**

NEW SECTION. Sec. 7. A new section is added to chapter 47.01 RCW to read as follows:

(1) To reduce traffic congestion and increase traffic flow, the department of transportation and other governmental entities must rapidly respond to traffic accidents and other obstructions on highways, freeways, roads, and streets, and clear these accidents and obstructions as expeditiously as possible. The department and other governmental entities must receive increased funding for emergency roadside assistance from the dedicated revenue in the Reduce Traffic Congestion Relief Account created in section 10 of this act. To maximize flexibility and response times, the state, the department, and other governmental entities may and are



encouraged to contract out emergency roadside assistance services to private companies, including tow truck operators.

(2) The state auditor shall identify and establish performance benchmarks using best practices for emergency roadside assistance under this section and shall investigate and track progress fulfilling this requirement, providing this and other relevant information to the public on a regular basis.

DEDICATES A PORTION OF EXISTING VEHICLE-RELATED REVENUE TO HELP FUND THE OPENING OF CARPOOL LANES TO EVERYONE DURING NON-PEAK HOURS, HELP FUND THE SYNCHRONIZATION OF TRAFFIC LIGHTS ON HEAVILY-TRAVELED ARTERIALS AND STREETS, AND INCREASE FUNDING FOR EMERGENCY ROADSIDE ASSISTANCE

Sec. 8. RCW 82.08.020 and 2006 c 1 s 3 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price.

(2) There is levied and there shall be collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to five and nine-tenths percent of the selling price. The revenue collected under this subsection shall be deposited in the multimodal transportation account created in RCW 47.66.070.

(3) Beginning July 1, 2003, there is levied and collected an additional tax of three-tenths of one percent of the selling price on each retail sale of a motor vehicle in this state, other than retail car rentals taxed under subsection (2) of this section. The revenue collected under this subsection shall be deposited in the multimodal transportation account created in RCW 47.66.070.

(4) For purposes of subsections (3) and (8) of this section, “motor vehicle” has the meaning provided in RCW 46.04.320, but does not include farm tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181, off-road and nonhighway vehicles as defined in RCW 46.09.020, and snowmobiles as defined in RCW 46.10.010.

(5) Beginning on December 8, 2005, 0.16 percent of the taxes collected under subsection (1) of this section shall be dedicated to funding comprehensive performance audits required under RCW 43.09.470. The revenue identified in this subsection shall be deposited in the performance audits of government account created in RCW 43.09.475.

(6) The taxes imposed under this chapter shall apply to successive retail sales of the same property.

(7) The rates provided in this section apply to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

(8) To effectively utilize existing resources to reduce traffic congestion, beginning on December 4, 2008, fifteen percent of the taxes collected under subsection (1) of this section on the retail sale of those vehicles taxed under subsection (3) of this section shall be dedicated to reducing traffic congestion and deposited in the Reduce

Traffic Congestion Account created in section 10 of this act. This subsection (8) of this section dedicates a portion of existing vehicle sales tax revenue and does not raise taxes.

NEW SECTION. Sec. 9. A new section is added to chapter 82.12 RCW to read as follows:

Beginning on December 4, 2008, fifteen percent of the taxes collected under RCW 82.12.020 on vehicles taxed under RCW 82.08.020(3) based on the rate in RCW 82.08.020(1) shall be dedicated to reducing traffic congestion and deposited in the Reduce Traffic Congestion Account created in section 10 of this act.

CREATES “REDUCE TRAFFIC CONGESTION ACCOUNT”

NEW SECTION. Sec. 10. A new section is added to chapter 46.68 RCW to read as follows:

(1) The Reduce Traffic Congestion Account is hereby created in the state treasury as a subaccount of the motor vehicle fund. All receipts from: The fifteen percent of sales and use taxes dedicated in RCW 82.08.020(8) and section 9 of this act; any tolls or charges collected under RCW 46.61.165(5) and 47.66.090; revenue from infractions dedicated to reducing traffic congestion under RCW 43.63.110; appropriate allocated funds under section 13 of this act; and any tolls or charges collected under RCW 47.56.030 and 47.56.170 must be deposited in the subaccount. Moneys in the subaccount may be spent only after appropriation. Expenditures from the subaccount may be used only:

(a) To pay for costs associated with the opening of carpool lanes to everyone during non-peak hours as required under RCW 46.61.165, including new and modified electronic and nonelectronic signage; lane striping, improvements, and maintenance; and shoulder maintenance and improvements, including bumpers;

(b) To pay for costs associated with synchronizing traffic lights on heavily-traveled arterials and streets as required under sections 5 and 6 of this act;

(c) To provide increased funding for emergency roadside assistance as required under section 7 of this act; and

(d) To provide funding for the activities of the state auditor required under this section and sections 5, 6, and 7 of this act.

(2) After payment of costs identified in subsections (1)(a) through (d) of this section, any other purpose which reduces traffic congestion by reducing vehicle delay times by expanding road capacity and general purpose use to improve traffic flow for all vehicles may be provided funding from the subaccount. Purposes to improve traffic flow for all vehicles do not include creating, maintaining, or operating bike paths or lanes, wildlife crossings, landscaping, park and ride lots, ferries, trolleys, buses, monorail, light rail, or heavy rail.

(3) Revenue deposited in the subaccount and not appropriated shall be retained by this subaccount.

(4) To measure the level of compliance with the policies, purposes, and intent of this act, the state auditor shall investigate and track the revenues and expenditures required under this act and shall report this and other relevant information to the public on a regular basis.

DEDICATES REVENUE FROM RED LIGHT TRAFFIC CAMERAS TO THE “REDUCE TRAFFIC CONGESTION ACCOUNT”

Sec. 11. RCW 46.63.110 and 2007 c 356 s 8 and 2007 c 199 s 28



are each reenacted and amended to read as follows:

(1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The monetary penalty for a violation of (a) RCW 46.55.105(2) is two hundred fifty dollars for each offense; (b) RCW 46.61.210(1) is five hundred dollars for each offense. No penalty assessed under this subsection (2) may be reduced.

(3) The supreme court shall prescribe by rule a schedule of monetary penalties for designated traffic infractions. This rule shall also specify the conditions under which local courts may exercise discretion in assessing fines and penalties for traffic infractions. The legislature respectfully requests the supreme court to adjust this schedule every two years for inflation.

(4) There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction except where the infraction relates to parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. A local legislative body may set a monetary penalty not to exceed twenty-five dollars for failure to respond to a notice of traffic infraction relating to parking as defined by local law, ordinance, regulation, or resolution. The local court, whether a municipal, police, or district court, shall impose the monetary penalty set by the local legislative body.

(5) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(6) Whenever a monetary penalty, fee, cost, assessment, or other monetary obligation is imposed by a court under this chapter it is immediately payable. If the court determines, in its discretion, that a person is not able to pay a monetary obligation in full, and not more than one year has passed since the later of July 1, 2005, or the date the monetary obligation initially became due and payable, the court shall enter into a payment plan with the person, unless the person has previously been granted a payment plan with respect to the same monetary obligation, or unless the person is in noncompliance of any existing or prior payment plan, in which case the court may, at its discretion, implement a payment plan. If the court has notified the department that the person has failed to pay or comply and the person has subsequently entered into a payment plan and made an initial payment, the court shall notify the department that the infraction has been adjudicated, and the department shall rescind any suspension of the person's driver's license or driver's privilege based on failure to respond to that infraction. "Payment plan," as used in this section, means a plan that requires reasonable payments based on the financial ability of the person to pay. The person may voluntarily pay an amount at any time in addition to the payments required under the payment plan.

(a) If a payment required to be made under the payment plan is delinquent or the person fails to complete a community restitution program on or before the time established under the payment plan, unless the court determines good cause therefor and adjusts the payment plan or the community restitution plan accordingly, the court shall notify the department of the person's failure to meet the conditions of the plan, and the department shall suspend the person's driver's license or driving privilege until all monetary obligations, including those imposed under subsections (3) and (4) of this section, have been paid, and court authorized community restitution has been completed, or until the department has been notified that the court has entered into a new time payment or community restitution agreement with the person.

(b) If a person has not entered into a payment plan with the court and has not paid the monetary obligation in full on or before the time established for payment, the court shall notify the department of the delinquency. The department shall suspend the person's driver's license or driving privilege until all monetary obligations have been paid, including those imposed under subsections (3) and (4) of this section, or until the person has entered into a payment plan under this section.

(c) If the payment plan is to be administered by the court, the court may assess the person a reasonable administrative fee to be wholly retained by the city or county with jurisdiction. The administrative fee shall not exceed ten dollars per infraction or twenty-five dollars per payment plan, whichever is less.

(d) Nothing in this section precludes a court from contracting with outside entities to administer its payment plan system. When outside entities are used for the administration of a payment plan, the court may assess the person a reasonable fee for such administrative services, which fee may be calculated on a periodic, percentage, or other basis.

(e) If a court authorized community restitution program for offenders is available in the jurisdiction, the court may allow conversion of all or part of the monetary obligations due under this section to court authorized community restitution in lieu of time payments if the person is unable to make reasonable time payments.

(7) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction shall be assessed:

(a) A fee of five dollars per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the emergency medical services and trauma care system trust account under RCW 70.168.040;

(b) A fee of ten dollars per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the Washington auto theft prevention authority account; and

(c) A fee of two dollars per infraction. Revenue from this fee shall be forwarded to the state treasurer for deposit in the traumatic brain injury account established in RCW 74.31.060.

(8)(a) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction other than of



RCW 46.61.527 shall be assessed an additional penalty of twenty dollars. The court may not reduce, waive, or suspend the additional penalty unless the court finds the offender to be indigent. If a court authorized community restitution program for offenders is available in the jurisdiction, the court shall allow offenders to offset all or a part of the penalty due under this subsection (8) by participation in the court authorized community restitution program.

(b) Eight dollars and fifty cents of the additional penalty under (a) of this subsection shall be remitted to the state treasurer. The remaining revenue from the additional penalty must be remitted under chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this subsection to the state treasurer must be deposited as provided in RCW 43.08.250. The balance of the revenue received by the county or city treasurer under this subsection must be deposited into the county or city current expense fund. Revenue to be deposited into the county or city current expense fund from infractions issued under RCW 46.63.170 shall instead be dedicated to reducing traffic congestion and be deposited in the Reduce Traffic Congestion Account created in section 10 of this act. Moneys retained by the city or county under this subsection shall constitute reimbursement for any liabilities under RCW 43.135.060.

(9) If a legal proceeding, such as garnishment, has commenced to collect any delinquent amount owed by the person for any penalty imposed by the court under this section, the court may, at its discretion, enter into a payment plan.

(10) The monetary penalty for violating RCW 46.37.395 is: (a) Two hundred fifty dollars for the first violation; (b) five hundred dollars for the second violation; and (c) seven hundred fifty dollars for each violation thereafter.

**DEDICATES REVENUE PREVIOUSLY
ALLOCATED TO ART TO THE**

“REDUCE TRAFFIC CONGESTION ACCOUNT”

NEW SECTION. Sec. 12. RCW 43.17.200 and 2005 c 36 s 4 are each amended to read as follows:

All state agencies including all state departments, boards, councils, commissions, and quasi public corporations shall allocate, as a nondeductible item, out of any moneys appropriated for the original construction of any public building, except for appropriations after December 4, 2008 for transportation-related public works projects, an amount of one-half of one percent of the appropriation to be expended by the Washington state arts commission for the acquisition of works of art. The works of art may be placed on public lands, integral to or attached to a public building or structure, detached within or outside a public building or structure, part of a portable exhibition or collection, part of a temporary exhibition, or loaned or exhibited in other public facilities. In addition to the cost of the works of art, the one-half of one percent of the appropriation as provided herein shall be used to provide for the administration of the visual arts program, including conservation of the state art collection, by the Washington state arts commission and all costs for installation of the works of art. For the purpose of this section,

building shall not include highway construction sheds, warehouses or other buildings of a temporary nature.

NEW SECTION. Sec. 13. To provide additional funds for reducing traffic congestion, all state agencies, including all state departments, boards, councils, commissions, and quasi public corporations shall allocate, as a nondeductible item, out of any moneys appropriated after December 4, 2008 for any transportation-related public works project, an amount of one-half of one percent of the appropriation to be dedicated to reducing traffic congestion and be deposited in the Reduce Traffic Congestion Account created in section 10 of this act. The people find that their top priority is reducing traffic congestion.

Sec. 14. RCW 43.46.090 and 1983 c 204 s 1 are each amended to read as follows:

The legislature recognizes this state’s responsibility to foster culture and the arts and its interest in the viable development of her artists and craftsmen by the establishment of the Washington state arts commission. The legislature declares it to be a policy of this state that a portion of appropriations for capital expenditures, except as provided in RCW 43.17.200 and section 13 of this act, be set aside for the acquisition of works of art to be placed in public buildings or lands. There is hereby established a visual arts program to be administered by the Washington state arts commission.

CRITICAL TAXPAYER PROTECTION:

**PREVENTS POLITICIANS FROM DIVERTING TOLL
REVENUE TO THE GENERAL FUND;
TOLLS ON A PROJECT GET SPENT ON THE PROJECT**

Sec. 15. RCW 47.56.030 and 2002 c 114 s 19 are each amended to read as follows:

(1) Except as permitted under chapter 47.46 RCW:

(a) The department of transportation shall have full charge of the construction of all toll bridges and other toll facilities including the Washington state ferries, and the operation and maintenance thereof.

(b) The transportation commission shall determine and establish the tolls and charges thereon, subject to all applicable laws, and shall perform all duties and exercise all powers relating to the financing, refinancing, and fiscal management of all toll bridges and other toll facilities including the Washington state ferries, and bonded indebtedness in the manner provided by law. Except for Washington state ferries toll facilities, revenue from any new tolls or charges established after December 4, 2008, that exceed the cost of construction, operation, or maintenance of toll facilities and new capital improvements to highways, freeways, roads, bridges, and streets, shall be dedicated to reducing traffic congestion and deposited in the Reduce Traffic Congestion Account created in section 10 of this act. Except for Washington state ferries toll facilities, in the absence of any capital improvements, revenue from any new tolls or charges established after December 4, 2008, that exceed the cost of collecting the tolls or charges shall be dedicated to reducing traffic congestion and deposited in the Reduce Traffic Congestion Account created in section 10 of this act.

(c) The department shall have full charge of design of all toll facilities.

(d) Except as provided in this section, the department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of



state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The department is authorized to negotiate contracts for any amount without bid under (d)(i) and (ii) of this subsection:

(i) Emergency contracts, in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities; and

(ii) Single source contracts for vessel dry dockings, when there is clearly and legitimately only one available bidder to conduct dry dock-related work for a specific class or classes of vessels. The contracts may be entered into for a single vessel dry docking or for multiple vessel dry dockings for a period not to exceed two years.

(2) The department shall proceed with the procurement of materials, supplies, services, and equipment needed for the support, maintenance, and use of a ferry, ferry terminal, or other facility operated by Washington state ferries, in accordance with chapter 43.19 RCW except as follows:

(a) Except as provided in (d) of this subsection, when the secretary of the department of transportation determines in writing that the use of invitation for bid is either not practicable or not advantageous to the state and it may be necessary to make competitive evaluations, including technical or performance evaluations among acceptable proposals to complete the contract award, a contract may be entered into by use of a competitive sealed proposals method, and a formal request for proposals solicitation. Such formal request for proposals solicitation shall include a functional description of the needs and requirements of the state and the significant factors.

(b) When purchases are made through a formal request for proposals solicitation the contract shall be awarded to the responsible proposer whose competitive sealed proposal is determined in writing to be the most advantageous to the state taking into consideration price and other evaluation factors set forth in the request for proposals. No significant factors may be used in evaluating a proposal that are not specified in the request for proposals. Factors that may be considered in evaluating proposals include but are not limited to: Price; maintainability; reliability; commonality; performance levels; life cycle cost if applicable under this section; cost of transportation or delivery; delivery schedule offered; installation cost; cost of spare parts; availability of parts and service offered; and the following:

(i) The ability, capacity, and skill of the proposer to perform the contract or provide the service required;

(ii) The character, integrity, reputation, judgment, experience, and efficiency of the proposer;

(iii) Whether the proposer can perform the contract within the time specified;

(iv) The quality of performance of previous contracts or services;

(v) The previous and existing compliance by the proposer with laws relating to the contract or services;

(vi) Objective, measurable criteria defined in the request for proposal. These criteria may include but are not limited to items such as discounts, delivery costs, maintenance services costs, installation costs, and transportation costs; and

(vii) Such other information as may be secured having a bearing on the decision to award the contract.

(c) When purchases are made through a request for proposal process, proposals received shall be evaluated based on the evaluation factors set forth in the request for proposal. When issuing a request for proposal for the procurement of propulsion equipment or systems that include an engine, the request for proposal must specify the use of a life cycle cost analysis that includes an evaluation of fuel efficiency. When a life cycle cost analysis is used, the life cycle cost of a proposal shall be given at least the same relative importance as the initial price element specified in the request of proposal documents. The department may reject any and all proposals received. If the proposals are not rejected, the award shall be made to the proposer whose proposal is most advantageous to the department, considering price and the other evaluation factors set forth in the request for proposal.

(d) If the department is procuring large equipment or systems (e.g., electrical, propulsion) needed for the support, maintenance, and use of a ferry operated by Washington state ferries, the department shall proceed with a formal request for proposal solicitation under this subsection (2) without a determination of necessity by the secretary.

Sec. 16. RCW 47.56.160 and 1984 c 7 s 258 are each amended to read as follows:

Except for revenues to be deposited in the Reduce Traffic Congestion Account under RCW 47.56.030(1)(b), ((A))all tolls or other revenues received from the operation of any toll bridge or toll bridges constructed with the proceeds of bonds issued and sold hereunder shall be paid over by the department to the state treasurer. The treasurer shall deposit them forthwith as demand deposits in a depository or depositories authorized by law to receive deposits of state funds. The deposit shall be made to the credit of a special trust fund designated as the toll revenue fund of the particular toll bridge or toll bridges producing the tolls or revenue, which fund shall be a trust fund and shall at all times be kept segregated and set apart from all other funds.

Sec. 17. RCW 47.56.170 and 1984 c 7. s 259 are each amended to read as follows:

From the money deposited in each separate construction fund under RCW 47.56.160, the state treasurer shall transfer to the place or places of payment named in the bonds such sums as may be required to pay the interest as it becomes due on all bonds sold and outstanding for the construction of a particular toll bridge or toll bridges during the period of actual construction and during the period of six months immediately thereafter. The state treasurer shall thereafter transfer from each separate toll revenue fund to the place or places of payment named in the bonds such sums as may be required to pay the interest on the bonds and redeem the principal thereof as the interest payments and bond redemption become due for all bonds issued and sold for the construction of the particular toll bridge or toll bridges producing the tolls or revenues



so deposited in the toll revenue fund. All funds so transferred for the payment of principal or interest on bonds issued for any particular toll bridge shall be segregated and applied solely for the payment of that principal or interest. The proceedings authorizing the issuance of bonds may provide for setting up a reserve fund or funds out of the tolls and other revenues not needed for the payment of principal and interest, as the same currently matures and for the preservation and continuance of the fund in a manner to be provided therein. The proceedings may also require the immediate application of all surplus moneys in the toll revenue fund to the retirement of the bonds prior to maturity, by call or purchase, in such manner and upon such terms and the payment of such premiums as may be deemed advisable in the judgment of the department.

The moneys remaining in each separate toll revenue fund after providing the amount required for interest and redemption of bonds as provided in this section shall be held and applied as provided in the proceedings authorizing the issuance of the bonds. If the proceedings authorizing the issuance of the bonds do not require surplus revenues to be held or applied in any particular manner, they shall be ~~((allocated and used for such other purposes incidental to the construction, operation, and maintenance of the toll bridge or bridges as the department may determine))~~ dedicated to reducing traffic congestion and deposited in the Reduce Traffic Congestion Account created in section 10 of this act.

NEW SECTION. Sec. 18. This act does not inhibit or prohibit the department of transportation or any other state or local government agency or body from allocating or expending other revenue from other sources to fund costs associated with opening carpool lanes to everyone during non-peak hours, synchronizing traffic lights on heavily-traveled arterials and streets, or increasing funding for emergency roadside assistance as required under this act.

NEW SECTION. Sec. 19. The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. Sec. 20. Subheadings used in this act are not any part of the law.

NEW SECTION. Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 22. This act shall be known and cited as the Reduce Traffic Congestion Act of 2008.

NEW SECTION. Sec. 23. This act takes effect December 4, 2008.



The Washington Death with Dignity Act

Section Outline

- Section 1. Definitions
 - Adult
 - Attending physician
 - Competent
 - Consulting physician
 - Counseling
 - Health care provider
 - Informed decision
 - Medically confirmed
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- Written Request for Medication to End Life in a Humane and Dignified Manner
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- Section 9. Written and oral requests
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 - Immunities and Liabilities
- Section 19. Immunities--basis for prohibiting health care provider from participation--notification--permissible sanctions
- Section 20. Liabilities
- Section 21. Claims by governmental entity for costs incurred
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- Section 23. Amendments
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- Section 27. Severability
- Section 28. Effective date
- Section 29. New chapter in Title 70
- Section 30. Captions, part headings, and subpart headings not law
- Section 31. Expiration date

Initiative Measure No. 1000

AN ACT Relating to death with dignity; amending RCW 70.122.100; reenacting and amending RCW 42.56.360 and 42.56.360; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

**THE WASHINGTON DEATH WITH DIGNITY ACT
General Provisions**

NEW SECTION. Sec. 1. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Adult" means an individual who is eighteen years of age or older.
- (2) "Attending physician" means the physician who has primary responsibility for the care of the patient and treatment of the patient's terminal disease.
- (3) "Competent" means that, in the opinion of a court or in the opinion of the patient's attending physician or consulting physician, psychiatrist, or psychologist, a patient has the ability to make and communicate an informed decision to health care providers, including communication through persons familiar with the patient's manner of communicating if those persons are available.
- (4) "Consulting physician" means a physician who is qualified by specialty or experience to make a professional diagnosis and prognosis regarding the patient's disease.
- (5) "Counseling" means one or more consultations as necessary between a state licensed psychiatrist or psychologist and a patient for the purpose of determining that the patient is competent and not suffering from a psychiatric or psychological disorder or depression causing impaired judgment.
- (6) "Health care provider" means a person licensed, certified, or otherwise authorized or permitted by law to administer health care or dispense medication in the ordinary course of business or practice of a profession, and includes a health care facility.
- (7) "Informed decision" means a decision by a qualified patient, to request and obtain a prescription for medication that the qualified patient may self-administer to end his or her life in a humane and dignified manner, that is based on an appreciation of the relevant facts and after being fully informed by the attending physician of:
 - (a) His or her medical diagnosis;

- (b) His or her prognosis;
 - (c) The potential risks associated with taking the medication to be prescribed;
 - (d) The probable result of taking the medication to be prescribed; and
 - (e) The feasible alternatives including, but not limited to, comfort care, hospice care, and pain control.
- (8) "Medically confirmed" means the medical opinion of the attending physician has been confirmed by a consulting physician who has examined the patient and the patient's relevant medical records.

(9) "Patient" means a person who is under the care of a physician.

(10) "Physician" means a doctor of medicine or osteopathy licensed to practice medicine in the state of Washington.

(11) "Qualified patient" means a competent adult who is a resident of Washington state and has satisfied the requirements of this chapter in order to obtain a prescription for medication that the qualified patient may self-administer to end his or her life in a humane and dignified manner.

(12) "Self-administer" means a qualified patient's act of ingesting medication to end his or her life in a humane and dignified manner.

(13) "Terminal disease" means an incurable and irreversible disease that has been medically confirmed and will, within reasonable medical judgment, produce death within six months.

**Written Request for Medication to End Life
in a Humane and Dignified Manner**

NEW SECTION. Sec. 2. WHO MAY INITIATE A WRITTEN REQUEST FOR MEDICATION. (1) An adult who is competent, is a resident of Washington state, and has been determined by the attending physician and consulting physician to be suffering from a terminal disease, and who has voluntarily expressed his or her wish to die, may make a written request for medication that the patient may self-administer to end his or her life in a humane and dignified manner in accordance with this chapter.

(2) A person does not qualify under this chapter solely because of age or disability.

NEW SECTION. Sec. 3. FORM OF THE WRITTEN REQUEST.

- (1) A valid request for medication under this chapter shall be in substantially the form described in section 22 of this act, signed and dated by the patient and witnessed by at least two individuals who, in the presence of the patient, attest that to the best of their knowledge and belief the patient is competent, acting voluntarily, and is not being coerced to sign the request.
- (2) One of the witnesses shall be a person who is not:
 - (a) A relative of the patient by blood, marriage, or adoption;
 - (b) A person who at the time the request is signed would be entitled to any portion of the estate of the qualified patient upon death under any will or by operation of law; or
 - (c) An owner, operator, or employee of a health care facility where the qualified patient is receiving medical treatment or is a resident.
 - (3) The patient's attending physician at the time the request is signed shall not be a witness.
 - (4) If the patient is a patient in a long-term care facility at the time



the written request is made, one of the witnesses shall be an individual designated by the facility and having the qualifications specified by the department of health by rule.

Safeguards

NEW SECTION. Sec. 4. ATTENDING PHYSICIAN RESPONSIBILITIES. (1) The attending physician shall:

- (a) Make the initial determination of whether a patient has a terminal disease, is competent, and has made the request voluntarily;
- (b) Request that the patient demonstrate Washington state residency under section 13 of this act;
- (c) To ensure that the patient is making an informed decision, inform the patient of:
 - (i) His or her medical diagnosis;
 - (ii) His or her prognosis;
 - (iii) The potential risks associated with taking the medication to be prescribed;
 - (iv) The probable result of taking the medication to be prescribed; and
 - (v) The feasible alternatives including, but not limited to, comfort care, hospice care, and pain control;
- (d) Refer the patient to a consulting physician for medical confirmation of the diagnosis, and for a determination that the patient is competent and acting voluntarily;
- (e) Refer the patient for counseling if appropriate under section 6 of this act;
- (f) Recommend that the patient notify next of kin;
- (g) Counsel the patient about the importance of having another person present when the patient takes the medication prescribed under this chapter and of not taking the medication in a public place;
- (h) Inform the patient that he or she has an opportunity to rescind the request at any time and in any manner, and offer the patient an opportunity to rescind at the end of the fifteen-day waiting period under section 9 of this act;
- (i) Verify, immediately before writing the prescription for medication under this chapter, that the patient is making an informed decision;
- (j) Fulfill the medical record documentation requirements of section 12 of this act;
- (k) Ensure that all appropriate steps are carried out in accordance with this chapter before writing a prescription for medication to enable a qualified patient to end his or her life in a humane and dignified manner; and
- (l)(i) Dispense medications directly, including ancillary medications intended to facilitate the desired effect to minimize the patient's discomfort, if the attending physician is authorized under statute and rule to dispense and has a current drug enforcement administration certificate; or
- (ii) With the patient's written consent:
 - (A) Contact a pharmacist and inform the pharmacist of the prescription; and

(B) Deliver the written prescription personally, by mail or facsimile to the pharmacist, who will dispense the medications directly to either the patient, the attending physician, or an expressly identified agent of the patient. Medications dispensed pursuant to this subsection shall not be dispensed by mail or other form of courier.

(2) The attending physician may sign the patient's death certificate which shall list the underlying terminal disease as the cause of death.

NEW SECTION. Sec. 5. CONSULTING PHYSICIAN CONFIRMATION. Before a patient is qualified under this chapter, a consulting physician shall examine the patient and his or her relevant medical records and confirm, in writing, the attending physician's diagnosis that the patient is suffering from a terminal disease, and verify that the patient is competent, is acting voluntarily, and has made an informed decision.

NEW SECTION. Sec. 6. COUNSELING REFERRAL. If, in the opinion of the attending physician or the consulting physician, a patient may be suffering from a psychiatric or psychological disorder or depression causing impaired judgment, either physician shall refer the patient for counseling. Medication to end a patient's life in a humane and dignified manner shall not be prescribed until the person performing the counseling determines that the patient is not suffering from a psychiatric or psychological disorder or depression causing impaired judgment.

NEW SECTION. Sec. 7. INFORMED DECISION. A person shall not receive a prescription for medication to end his or her life in a humane and dignified manner unless he or she has made an informed decision. Immediately before writing a prescription for medication under this chapter, the attending physician shall verify that the qualified patient is making an informed decision.

NEW SECTION. Sec. 8. FAMILY NOTIFICATION. The attending physician shall recommend that the patient notify the next of kin of his or her request for medication under this chapter. A patient who declines or is unable to notify next of kin shall not have his or her request denied for that reason.

NEW SECTION. Sec. 9. WRITTEN AND ORAL REQUESTS. To receive a prescription for medication that the qualified patient may self-administer to end his or her life in a humane and dignified manner, a qualified patient shall have made an oral request and a written request, and reiterate the oral request to his or her attending physician at least fifteen days after making the initial oral request. At the time the qualified patient makes his or her second oral request, the attending physician shall offer the qualified patient an opportunity to rescind the request.

NEW SECTION. Sec. 10. RIGHT TO RESCIND REQUEST. A patient may rescind his or her request at any time and in any manner without regard to his or her mental state. No prescription for medication under this chapter may be written without the attending physician offering the qualified patient an opportunity to rescind the request.



NEW SECTION. Sec. 11. WAITING PERIODS. (1) At least fifteen days shall elapse between the patient's initial oral request and the writing of a prescription under this chapter.

(2) At least forty-eight hours shall elapse between the date the patient signs the written request and the writing of a prescription under this chapter.

NEW SECTION. Sec. 12. MEDICAL RECORD DOCUMENTATION REQUIREMENTS. The following shall be documented or filed in the patient's medical record:

(1) All oral requests by a patient for medication to end his or her life in a humane and dignified manner;

(2) All written requests by a patient for medication to end his or her life in a humane and dignified manner;

(3) The attending physician's diagnosis and prognosis, and determination that the patient is competent, is acting voluntarily, and has made an informed decision;

(4) The consulting physician's diagnosis and prognosis, and verification that the patient is competent, is acting voluntarily, and has made an informed decision;

(5) A report of the outcome and determinations made during counseling, if performed;

(6) The attending physician's offer to the patient to rescind his or her request at the time of the patient's second oral request under section 9 of this act; and

(7) A note by the attending physician indicating that all requirements under this chapter have been met and indicating the steps taken to carry out the request, including a notation of the medication prescribed.

NEW SECTION. Sec. 13. RESIDENCY REQUIREMENT. Only requests made by Washington state residents under this chapter may be granted. Factors demonstrating Washington state residency include but are not limited to:

(1) Possession of a Washington state driver's license;

(2) Registration to vote in Washington state; or

(3) Evidence that the person owns or leases property in Washington state.

NEW SECTION. Sec. 14. DISPOSAL OF UNUSED MEDICATIONS. Any medication dispensed under this chapter that was not self-administered shall be disposed of by lawful means.

NEW SECTION. Sec. 15. REPORTING REQUIREMENTS.

(1)(a) The department of health shall annually review all records maintained under this chapter.

(b) The department of health shall require any health care provider upon writing a prescription or dispensing medication under this chapter to file a copy of the dispensing record and such other administratively required documentation with the department. All administratively required documentation shall be mailed or otherwise transmitted as allowed by department of health rule to the department

no later than thirty calendar days after the writing of a prescription and dispensing of medication under this chapter, except that all documents required to be filed with the department by the prescribing physician after the death of the patient shall be mailed no later than thirty calendar days after the date of death of the patient. In the event that anyone required under this chapter to report information to the department of health provides an inadequate or incomplete report, the department shall contact the person to request a complete report.

(2) The department of health shall adopt rules to facilitate the collection of information regarding compliance with this chapter. Except as otherwise required by law, the information collected is not a public record and may not be made available for inspection by the public.

(3) The department of health shall generate and make available to the public an annual statistical report of information collected under subsection (2) of this section.

NEW SECTION. Sec. 16. EFFECT ON CONSTRUCTION OF WILLS, CONTRACTS, AND STATUTES. (1) Any provision in a contract, will, or other agreement, whether written or oral, to the extent the provision would affect whether a person may make or rescind a request for medication to end his or her life in a humane and dignified manner, is not valid.

(2) Any obligation owing under any currently existing contract shall not be conditioned or affected by the making or rescinding of a request, by a person, for medication to end his or her life in a humane and dignified manner.

NEW SECTION. Sec. 17. INSURANCE OR ANNUITY POLICIES. The sale, procurement, or issuance of any life, health, or accident insurance or annuity policy or the rate charged for any policy shall not be conditioned upon or affected by the making or rescinding of a request, by a person, for medication that the patient may self-administer to end his or her life in a humane and dignified manner. A qualified patient's act of ingesting medication to end his or her life in a humane and dignified manner shall not have an effect upon a life, health, or accident insurance or annuity policy.

NEW SECTION. Sec. 18. CONSTRUCTION OF ACT. (1) Nothing in this chapter authorizes a physician or any other person to end a patient's life by lethal injection, mercy killing, or active euthanasia. Actions taken in accordance with this chapter do not, for any purpose, constitute suicide, assisted suicide, mercy killing, or homicide, under the law. State reports shall not refer to practice under this chapter as "suicide" or "assisted suicide." Consistent with sections 1 (7), (11), and (12), 2(1), 4(1)(k), 6, 7, 9, 12 (1) and (2), 16 (1) and (2), 17, 19(1) (a) and (d), and 20(2) of this act, state reports shall refer to practice under this chapter as obtaining and self-administering life-ending medication.

(2) Nothing contained in this chapter shall be interpreted to lower the applicable standard of care for the attending physician, consulting physician, psychiatrist or psychologist, or other health care provider participating under this chapter.

Immunities and Liabilities

NEW SECTION. Sec. 19. IMMUNITIES--BASIS FOR



PROHIBITING HEALTH CARE PROVIDER FROM PARTICIPATION--NOTIFICATION--PERMISSIBLE SANCTIONS.

(1) Except as provided in section 20 of this act and subsection (2) of this section:

(a) A person shall not be subject to civil or criminal liability or professional disciplinary action for participating in good faith compliance with this chapter. This includes being present when a qualified patient takes the prescribed medication to end his or her life in a humane and dignified manner;

(b) A professional organization or association, or health care provider, may not subject a person to censure, discipline, suspension, loss of license, loss of privileges, loss of membership, or other penalty for participating or refusing to participate in good faith compliance with this chapter;

(c) A patient's request for or provision by an attending physician of medication in good faith compliance with this chapter does not constitute neglect for any purpose of law or provide the sole basis for the appointment of a guardian or conservator; and

(d) Only willing health care providers shall participate in the provision to a qualified patient of medication to end his or her life in a humane and dignified manner. If a health care provider is unable or unwilling to carry out a patient's request under this chapter, and the patient transfers his or her care to a new health care provider, the prior health care provider shall transfer, upon request, a copy of the patient's relevant medical records to the new health care provider.

(2)(a) A health care provider may prohibit another health care provider from participating under this act on the premises of the prohibiting provider if the prohibiting provider has given notice to all health care providers with privileges to practice on the premises and to the general public of the prohibiting provider's policy regarding participating under this act. This subsection does not prevent a health care provider from providing health care services to a patient that do not constitute participation under this act.

(b) A health care provider may subject another health care provider to the sanctions stated in this subsection if the sanctioning health care provider has notified the sanctioned provider before participation in this act that it prohibits participation in this act:

(i) Loss of privileges, loss of membership, or other sanctions provided under the medical staff bylaws, policies, and procedures of the sanctioning health care provider if the sanctioned provider is a member of the sanctioning provider's medical staff and participates in this act while on the health care facility premises of the sanctioning health care provider, but not including the private medical office of a physician or other provider;

(ii) Termination of a lease or other property contract or other nonmonetary remedies provided by a lease contract, not including loss or restriction of medical staff privileges or exclusion from a provider panel, if the sanctioned provider participates in this act while on the premises of the sanctioning health care provider or on property that is owned by or under the direct control of the sanctioning health care provider; or

(iii) Termination of a contract or other nonmonetary remedies

provided by contract if the sanctioned provider participates in this act while acting in the course and scope of the sanctioned provider's capacity as an employee or independent contractor of the sanctioning health care provider. Nothing in this subsection (2)(b)(iii) prevents:

(A) A health care provider from participating in this act while acting outside the course and scope of the provider's capacity as an employee or independent contractor; or

(B) A patient from contracting with his or her attending physician and consulting physician to act outside the course and scope of the provider's capacity as an employee or independent contractor of the sanctioning health care provider.

(c) A health care provider that imposes sanctions under (b) of this subsection shall follow all due process and other procedures the sanctioning health care provider may have that are related to the imposition of sanctions on another health care provider.

(d) For the purposes of this subsection:

(i) "Notify" means a separate statement in writing to the health care provider specifically informing the health care provider before the provider's participation in this act of the sanctioning health care provider's policy about participation in activities covered by this chapter.

(ii) "Participate in this act" means to perform the duties of an attending physician under section 4 of this act, the consulting physician function under section 5 of this act, or the counseling function under section 6 of this act. "Participate in this act" does not include:

(A) Making an initial determination that a patient has a terminal disease and informing the patient of the medical prognosis;

(B) Providing information about the Washington death with dignity act to a patient upon the request of the patient;

(C) Providing a patient, upon the request of the patient, with a referral to another physician; or

(D) A patient contracting with his or her attending physician and consulting physician to act outside of the course and scope of the provider's capacity as an employee or independent contractor of the sanctioning health care provider.

(3) Suspension or termination of staff membership or privileges under subsection (2) of this section is not reportable under RCW 18.130.070. Action taken under section 3, 4, 5, or 6 of this act may not be the sole basis for a report of unprofessional conduct under RCW 18.130.180.

(4) References to "good faith" in subsection (1)(a), (b), and (c) of this section do not allow a lower standard of care for health care providers in the state of Washington.

NEW SECTION. Sec. 20. LIABILITIES. (1) A person who without authorization of the patient willfully alters or forges a request for medication or conceals or destroys a rescission of that request with the intent or effect of causing the patient's death is guilty of a class A felony.

(2) A person who coerces or exerts undue influence on a patient to request medication to end the patient's life, or to destroy a rescission of a request, is guilty of a class A felony.

(3) This chapter does not limit further liability for civil damages resulting from other negligent conduct or intentional misconduct by any person.

(4) The penalties in this chapter do not preclude criminal penalties



applicable under other law for conduct that is inconsistent with this chapter.

NEW SECTION. Sec. 21. CLAIMS BY GOVERNMENTAL ENTITY FOR COSTS INCURRED. Any governmental entity that incurs costs resulting from a person terminating his or her life under this chapter in a public place has a claim against the estate of the person to recover such costs and reasonable attorneys' fees related to enforcing the claim.

Additional Provisions

NEW SECTION. Sec. 22. FORM OF THE REQUEST. A request for a medication as authorized by this chapter shall be in substantially the following form:

REQUEST FOR MEDICATION TO END MY LIFE IN A HUMAN AND DIGNIFIED MANNER

I,, am an adult of sound mind. I am suffering from, which my attending physician has determined is a terminal disease and which has been medically confirmed by a consulting physician. I have been fully informed of my diagnosis, prognosis, the nature of medication to be prescribed and potential associated risks, the expected result, and the feasible alternatives, including comfort care, hospice care, and pain control. I request that my attending physician prescribe medication that I may self-administer to end my life in a humane and dignified manner and to contact any pharmacist to fill the prescription.

INITIAL ONE:

. I have informed my family of my decision and taken their opinions into consideration. I have decided not to inform my family of my decision. I have no family to inform of my decision. I understand that I have the right to rescind this request at any time. I understand the full import of this request and I expect to die when I take the medication to be prescribed. I further understand that although most deaths occur within three hours, my death may take longer and my physician has counseled me about this possibility. I make this request voluntarily and without reservation, and I accept full moral responsibility for my actions. Signed: Dated:

DECLARATION OF WITNESSES

By initialing and signing below on or after the date the person named above signs, we declare that the person making and signing

the above request:

Witness 1 Witness 2
Initials Initials

- 1. Is personally known to us or has provided proof of identity;
2. Signed this request in our presence on the date of the person's signature;
3. Appears to be of sound mind and not under duress, fraud, or undue influence;
4. Is not a patient for whom either of us is the attending physician.

Printed Name of Witness 1:
Signature of Witness 1/Date:
Printed Name of Witness 2:
Signature of Witness 2/Date:

NOTE: One witness shall not be a relative by blood, marriage, or adoption of the person signing this request, shall not be entitled to any portion of the person's estate upon death, and shall not own, operate, or be employed at a health care facility where the person is a patient or resident. If the patient is an inpatient at a health care facility, one of the witnesses shall be an individual designated by the facility.

Sec. 23. RCW 42.56.360 and 2007 c 261 s 4 and 2007 c 259 s 49 are each reenacted and amended to read as follows:

- (1) The following health care information is exempt from disclosure under this chapter:
(a) Information obtained by the board of pharmacy as provided in RCW 69.45.090;
(b) Information obtained by the board of pharmacy or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420;
(c) Information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, and notifications or reports of adverse events or incidents made under RCW 70.56.020 or 70.56.040, regardless of which agency is in possession of the information and documents;
(d)(i) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310;
(ii) If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this subsection (1)(d) as exempt from disclosure;



(iii) If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality;

(e) Records of the entity obtained in an action under RCW 18.71.300 through 18.71.340;

(f) Except for published statistical compilations and reports relating to the infant mortality review studies that do not identify individual cases and sources of information, any records or documents obtained, prepared, or maintained by the local health department for the purposes of an infant mortality review conducted by the department of health under RCW 70.05.170;

(g) Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095(1); ~~((and))~~

(h) Information obtained by the department of health under chapter 70.225 RCW; and

(i) Information collected by the department of health under chapter 70.-- RCW (sections 1 through 22, 26 through 28, and 30 of this act) except as provided in section 15 of this act.

(2) Chapter 70.02 RCW applies to public inspection and copying of health care information of patients.

Sec. 24. RCW 42.56.360 and 2007 c 273 s 25, 2007 c 261 s 4, and 2007 c 259 s 49 are each reenacted and amended to read as follows:

(1) The following health care information is exempt from disclosure under this chapter:

(a) Information obtained by the board of pharmacy as provided in RCW 69.45.090;

(b) Information obtained by the board of pharmacy or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420;

(c) Information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, and notifications or reports of adverse events or incidents made under RCW 70.56.020 or 70.56.040, regardless of which agency is in possession of the information and documents;

(d)(i) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310;

(ii) If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this

subsection (1)(d) as exempt from disclosure;

(iii) If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality;

(e) Records of the entity obtained in an action under RCW 18.71.300 through 18.71.340;

(f) Except for published statistical compilations and reports relating to the infant mortality review studies that do not identify individual cases and sources of information, any records or documents obtained, prepared, or maintained by the local health department for the purposes of an infant mortality review conducted by the department of health under RCW 70.05.170;

(g) Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095(1); ~~((and))~~

(h) Information obtained by the department of health under chapter 70.225 RCW; and

(i) Information collected by the department of health under chapter 70.-- RCW (sections 1 through 22, 26 through 28, and 30 of this act) except as provided in section 15 of this act.

(2) Chapter 70.02 RCW applies to public inspection and copying of health care information of patients.

Sec. 25. RCW 70.122.100 and 1992 c 98 s 10 are each amended to read as follows:

Nothing in this chapter shall be construed to condone, authorize, or approve mercy killing ~~((or physician-assisted suicide, or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying)), lethal injection, or active euthanasia.~~

NEW SECTION. Sec. 26. SHORT TITLE. This act may be known and cited as the Washington death with dignity act.

NEW SECTION. Sec. 27. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 28. EFFECTIVE DATE. This act takes effect one hundred twenty days after the election at which it is approved, except for section 24 of this act which takes effect July 1, 2009.

NEW SECTION. Sec. 29. Sections 1 through 22, 26 through 28, and 30 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 30. CAPTIONS, PART HEADINGS, AND SUBPART HEADINGS NOT LAW. Captions, part headings, and subpart headings used in this act are not any part of the law.

NEW SECTION. Sec. 31. Section 23 of this act expires July 1, 2009.



**INITIATIVE 1029
FOR QUALITY LONG-TERM CARE**

AN ACT Relating to long-term care services for the elderly and persons with disabilities; amending RCW 74.39A.009, 74.39A.340, 74.39A.350, 74.39A.050, and 18.130.040; reenacting and amending RCW 18.130.040; adding new sections to chapter 74.39A RCW; adding a new section to chapter 18.88A RCW; adding a new chapter to Title 18 RCW; creating new sections; providing an effective date; and providing a contingent effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. It is the intent of the people through this initiative to protect the safety of and improve the quality of care to the vulnerable elderly and persons with disabilities.

The people find and declare that current procedures to train and educate long-term care workers and to protect the elderly or persons with disabilities from caregivers with a criminal background are insufficient. The people find and declare that long-term care workers for the elderly or persons with disabilities should have a federal criminal background check and a formal system of education and experiential qualifications leading to a certification test.

The people find that the quality of long-term care services for the elderly and persons with disabilities is dependent upon the competency of the workers who provide those services. To assure and enhance the quality of long-term care services for the elderly and persons with disabilities, the people recognize the need for federal criminal background checks and increased training requirements. Their establishment should protect the vulnerable elderly and persons with disabilities, bring about a more stabilized workforce, improve the quality of long-term care services, and provide a valuable resource for recruitment into long-term care services for the elderly and persons with disabilities.

Sec. 2. RCW 74.39A.009 and 2007 c 361 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) “Adult family home” means a home licensed under chapter 70.128 RCW.

(2) “Adult residential care” means services provided by a boarding home that is licensed under chapter 18.20 RCW and that has a contract with the department under RCW 74.39A.020 to provide personal care services.

(3) “Assisted living services” means services provided by a boarding home that has a contract with the department under RCW 74.39A.010 to provide personal care services, intermittent nursing services, and medication administration services, and the resident is housed in a private apartment-like unit.

(4) “Boarding home” means a facility licensed under chapter

18.20 RCW.

(5) “Core competencies” means basic training topics, including but not limited to, communication skills, worker self care, problem solving, maintaining dignity, consumer directed care, cultural sensitivity, body mechanics, fall prevention, skin and body care, long-term care worker roles and boundaries, supporting activities of daily living, and food preparation and handling.

(6) “Cost-effective care” means care provided in a setting of an individual’s choice that is necessary to promote the most appropriate level of physical, mental, and psychosocial well-being consistent with client choice, in an environment that is appropriate to the care and safety needs of the individual, and such care cannot be provided at a lower cost in any other setting. But this in no way precludes an individual from choosing a different residential setting to achieve his or her desired quality of life.

((6)) (7) “Department” means the department of social and health services.

((7)) (8) “Developmental disability” has the same meaning as defined in RCW 71A.10.020.

(9) “Direct care worker” means a paid caregiver who provides direct, hands on personal care services to persons with disabilities or the elderly requiring long-term care.

(10) “Enhanced adult residential care” means services provided by a boarding home that is licensed under chapter 18.20 RCW and that has a contract with the department under RCW 74.39A.010 to provide personal care services, intermittent nursing services, and medication administration services.

((8)) (11) “Functionally disabled person” or “person who is functionally disabled” is synonymous with chronic functionally disabled and means a person who because of a recognized chronic physical or mental condition or disease, or developmental disability, including chemical dependency, is impaired to the extent of being dependent upon others for direct care, support, supervision, or monitoring to perform activities of daily living. “Activities of daily living”, in this context, means self-care abilities related to personal care such as bathing, eating, using the toilet, dressing, and transfer. Instrumental activities of daily living may also be used to assess a person’s functional abilities as they are related to the mental capacity to perform activities in the home and the community such as cooking, shopping, house cleaning, doing laundry, working, and managing personal finances.

((9)) (12) “Home and community services” means adult family homes, in-home services, and other services administered or provided by contract by the department directly or through contract with area agencies on aging or similar services provided by facilities and agencies licensed by the department.

((10)) (13) “Home care aide” means a long-term care worker who has obtained certification as a home care aide by the department of health.

(14) “Individual provider” is defined according to RCW 74.39A.240.

(15) “Long-term care” is synonymous with chronic care and means care and supports delivered indefinitely, intermittently, or over a sustained time to persons of any age disabled by chronic mental or physical illness, disease, chemical dependency, or a medical condition that is permanent, not reversible or curable, or is long-lasting and severely limits their mental or physical capacity



for self-care. The use of this definition is not intended to expand the scope of services, care, or assistance by any individuals, groups, residential care settings, or professions unless otherwise expressed by law.

~~((H1))~~ (16)(a) “Long-term care workers for the elderly or persons with disabilities” or “long-term care workers” includes all persons who are long-term care workers for the elderly or persons with disabilities, including but not limited to individual providers of home care services, direct care employees of home care agencies, providers of home care services to persons with developmental disabilities under Title 71 RCW, all direct care workers in state licensed boarding homes, assisted living facilities, and adult family homes, respite care providers, community residential service providers, and any other direct care worker providing home or community-based services to the elderly or persons with functional disabilities or developmental disabilities.

(b) “Long-term care workers” do not include: (i) Persons employed in nursing homes subject to chapter 18.51 RCW, hospitals or other acute care settings, hospice agencies subject to chapter 70.127 RCW, adult day care centers, and adult day health care centers; or (ii) persons who are not paid by the state or by a private agency or facility licensed by the state to provide personal care services.

~~((H2))~~ (17) “Nursing home” means a facility licensed under chapter 18.51 RCW.

~~((H3))~~ (18) “Personal care services” means physical or verbal assistance with activities of daily living and instrumental activities of daily living provided because of a person’s functional disability.

(19) “Population specific competencies” means basic training topics unique to the care needs of the population the long-term care worker is serving, including but not limited to, mental health, dementia, developmental disabilities, young adults with physical disabilities, and older adults.

(20) “Qualified instructor” means a registered nurse or other person with specific knowledge, training, and work experience in the provision of direct, hands on personal care and other assistance services to the elderly or persons with disabilities requiring long-term care.

(21) “Secretary” means the secretary of social and health services.

~~((H4))~~ (22) “Secretary of health” means the secretary of health or the secretary’s designee.

(23) “Training partnership” means a joint partnership or trust ~~((established and maintained jointly by))~~ that includes the office of the governor and the exclusive bargaining representative of individual providers under RCW 74.39A.270 with the capacity to provide training, peer mentoring, and ~~((examinations required under this chapter, and educational, career))~~ workforce development, or other services to individual providers.

~~((H5))~~ (24) “Tribally licensed boarding home” means a boarding home licensed by a federally recognized Indian tribe which home

provides services similar to boarding homes licensed under chapter 18.20 RCW.

NEW SECTION. Sec. 3. A new section is added to chapter 74.39A RCW to read as follows:

All long-term care workers for the elderly or persons with disabilities hired after January 1, 2010, shall be screened through state and federal background checks in a uniform and timely manner to ensure that they do not have a criminal history that would disqualify them from working with vulnerable persons. These background checks shall include checking against the federal bureau of investigation fingerprint identification records system and against the national sex offenders registry or their successor programs. The department shall share this information with the department of health. The department shall not pass on the cost of these criminal background checks to the workers or their employers. The department shall adopt rules to implement the provisions of this section by August 1, 2009.

NEW SECTION. Sec. 4. (1) Effective January 1, 2010, except as provided in section 7 of this act, the department of health shall require that any person hired as a long-term care worker for the elderly or persons with disabilities must be certified as a home care aide within one hundred fifty days from the date of being hired.

(2) Except as provided in section 7 of this act, certification as a home care aide requires both completion of seventy-five hours of training and successful completion of a certification examination pursuant to sections 5 and 6 of this act.

(3) No person may practice or, by use of any title or description, represent himself or herself as a certified home care aide without being certified pursuant to this chapter.

(4) The department of health shall adopt rules by August 1, 2009, to implement this section.

NEW SECTION. Sec. 5. A new section is added to chapter 74.39A RCW to read as follows:

(1) Effective January 1, 2010, except as provided in section 7 of this act, all persons employed as long-term care workers for the elderly or persons with disabilities must meet the minimum training requirements in this section within one hundred twenty calendar days of employment.

(2) All persons employed as long-term care workers must obtain seventy-five hours of entry level training approved by the department. A long-term care worker must accomplish five of these seventy-five hours before becoming eligible to provide care.

(3) Training required by subsection (4)(c) of this section will be applied towards training required under RCW 18.20.270 or 70.128.230 as well as any statutory or regulatory training requirements for long-term care workers employed by supportive living providers.

(4) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The seventy-five hours of entry-level training required shall be as follows:

(a) Before a long-term care worker is eligible to provide care, he or she must complete two hours of orientation training regarding his or her role as caregiver and the applicable terms of employment;



(b) Before a long-term care worker is eligible to provide care, he or she must complete three hours of safety training, including basic safety precautions, emergency procedures, and infection control; and

(c) All long-term care workers must complete seventy hours of long-term care basic training, including training related to core competencies and population specific competencies.

(5) The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors on the competencies and training topics in this section.

(6) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

(7) The department of health shall adopt rules by August 1, 2009, to implement subsections (1), (2), and (3) of this section.

(8) The department shall adopt rules by August 1, 2009, to implement subsections (4) and (5) of this section.

NEW SECTION. Sec. 6. (1) Effective January 1, 2010, except as provided in section 7 of this act, the department of health shall require that all long-term care workers successfully complete a certification examination. Any long-term care worker failing to make the required grade for the examination will not be certified as a home care aide.

(2) The department of health, in consultation with consumer and worker representatives, shall develop a home care aide certification examination to evaluate whether an applicant possesses the skills and knowledge necessary to practice competently. Unless excluded by section 7 (1) and (2) of this act, only those who have completed the training requirements in section 5 of this act shall be eligible to sit for this examination.

(3) The examination shall include both a skills demonstration and a written or oral knowledge test. The examination papers, all grading of the papers, and records related to the grading of skills demonstration shall be preserved for a period of not less than one year. The department of health shall establish rules governing the number of times and under what circumstances individuals who have failed the examination may sit for the examination, including whether any intermediate remedial steps should be required.

(4) All examinations shall be conducted by fair and wholly impartial methods. The certification examination shall be administered and evaluated by the department of health or by a contractor to the department of health that is neither an employer of long-term care workers or private contractors providing training services under this chapter.

(5) The department of health has the authority to:

(a) Establish forms, procedures, and examinations necessary to certify home care aides pursuant to this chapter;

(b) Hire clerical, administrative, and investigative staff as needed to implement this section;

(c) Issue certification as a home care aide to any applicant who has successfully completed the home care aide examination;

(d) Maintain the official record of all applicants and persons with certificates;

(e) Exercise disciplinary authority as authorized in chapter 18.130 RCW; and

(f) Deny certification to applicants who do not meet training, competency examination, and conduct requirements for certification.

(6) The department of health shall adopt rules by August 1, 2009, that establish the procedures and examinations necessary to carry this section into effect.

NEW SECTION. Sec. 7. The following long-term care workers are not required to become a certified home care aide pursuant to this chapter.

(1) Registered nurses, licensed practical nurses, certified nursing assistants, medicare-certified home health aides, or other persons who hold a similar health credential, as determined by the secretary of health, or persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary of health determines that the circumstances do not require certification. Individuals exempted by this subsection may obtain certification as a home care aide from the department of health without fulfilling the training requirements in section 5 of this act but must successfully complete a certification examination pursuant to section 6 of this act.

(2) A person already employed as a long-term care worker prior to January 1, 2010, who completes all of his or her training requirements in effect as of the date he or she was hired, is not required to obtain certification. Individuals exempted by this subsection may obtain certification as a home care aide from the department of health without fulfilling the training requirements in section 5 of this act but must successfully complete a certification examination pursuant to section 6 of this act.

(3) All long-term care workers employed by supported living providers are not required to obtain certification under this chapter.

(4) An individual provider caring only for his or her biological, step, or adoptive child or parent is not required to obtain certification under this chapter.

(5) Prior to June 30, 2014, a person hired as an individual provider who provides twenty hours or less of care for one person in any calendar month is not required to obtain certification under this chapter.

(6) A long-term care worker exempted by this section from the training requirements contained in section 5 of this act may not be prohibited from enrolling in training pursuant to that section.

(7) The department of health shall adopt rules by August 1, 2009, to implement this section.

NEW SECTION. Sec. 8. A new section is added to chapter 74.39A RCW to read as follows:

(1) Effective January 1, 2010, a biological, step, or adoptive parent who is the individual provider only for his or her developmentally disabled son or daughter must receive twelve hours of training



relevant to the needs of adults with developmental disabilities within the first one hundred twenty days of becoming an individual provider.

(2) Effective January 1, 2010, individual providers identified in (a) and (b) of this subsection must complete thirty-five hours of training within the first one hundred twenty days of becoming an individual provider. Five of the thirty-five hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(a) An individual provider caring only for his or her biological, step, or adoptive child or parent unless covered by subsection (1) of this section; and

(b) Before January 1, 2014, a person hired as an individual provider who provides twenty hours or less of care for one person in any calendar month.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) The department shall adopt rules by August 1, 2009, to implement this section.

Sec. 9. RCW 74.39A.340 and 2007 c 361 s 4 are each amended to read as follows:

(1) The department of health shall ensure that all long-term care workers shall complete twelve hours of continuing education training in advanced training topics each year. This requirement applies beginning on January 1, 2010.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under this act.

(3) Unless voluntarily certified as a home care aide under this act, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child; and

(b) Before June 30, 2014, a person hired as an individual provider who provides twenty hours or less of care for one person in any calendar month.

(4) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(5) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

(6) The department of health shall adopt rules by August 1, 2009, to implement subsections (1), (2), and (3) of this section.

(7) The department shall adopt rules by August 1, 2009, to implement subsection (4) of this section.

Sec. 10. RCW 74.39A.350 and 2007 c 361 s 5 are each amended to read as follows:

The department shall offer, directly or through contract, training opportunities sufficient for a long-term care worker to accumulate ~~((sixty-five))~~ seventy hours of training within a reasonable time period. For individual providers represented by an exclusive bargaining representative under RCW 74.39A.270, the training opportunities shall be offered through ~~((a contract with))~~ the training partnership established under RCW 74.39A.360. Training topics shall include, but are not limited to: Client rights; personal care; mental illness; dementia; developmental disabilities; depression; medication assistance; advanced communication skills; positive client behavior support; developing or improving client-centered activities; dealing with wandering or aggressive client behaviors; medical conditions; nurse delegation core training; peer mentor training; and advocacy for quality care training. The department may not require long-term care workers to obtain the training described in this section. This requirement to offer advanced training applies beginning January 1, ~~((2010))~~ 2011.

NEW SECTION. Sec. 11. A new section is added to chapter 18.88A RCW to read as follows:

By August 1, 2009, the department of health shall develop, in consultation with the nursing care quality assurance commission and consumer and worker representatives, rules permitting reciprocity to the maximum extent possible under federal law between home care aide certification and nursing assistant certification.

NEW SECTION. Sec. 12. A new section is added to chapter 74.39A RCW to read as follows:

(1) The department shall deny payment to any individual provider of home care services who has not been certified by the department of health as a home care aide as required under this act or, if exempted from certification by section 7 of this act, has not completed his or her required training pursuant to this act.

(2) The department may terminate the contract of any individual provider of home care services, or take any other enforcement measure deemed appropriate by the department if the individual provider's certification is revoked under this act or, if exempted from certification by section 7 of this act, has not completed his or her required training pursuant to this act.

(3) The department shall take appropriate enforcement action related to the contract of a private agency or facility licensed by the state, to provide personal care services, other than an individual provider, who knowingly employs a long-term care worker who is not a certified home care aide as required under this act or, if exempted from certification by section 7 of this act, has not completed his or her required training pursuant to this act.

(4) Chapter 34.05 RCW shall govern actions by the department under this section.



(5) The department shall adopt rules by August 1, 2009, to implement this section.

NEW SECTION. Sec. 13. (1) The uniform disciplinary act, chapter 18.130 RCW, governs uncertified practice, issuance of certificates, and the discipline of persons with certificates under this chapter. The secretary of health shall be the disciplinary authority under this chapter.

(2) The secretary of health may take action to immediately suspend the certification of a long-term care worker upon finding that conduct of the long-term care worker has caused or presents an imminent threat of harm to a functionally disabled person in his or her care.

(3) If the secretary of health imposes suspension or conditions for continuation of certification, the suspension or conditions for continuation are effective immediately upon notice and shall continue in effect pending the outcome of any hearing.

(4) The department of health shall take appropriate enforcement action related to the licensure of a private agency or facility licensed by the state, to provide personal care services, other than an individual provider, who knowingly employs a long-term care worker who is not a certified home care aide as required under this chapter or, if exempted from certification by section 7 of this act, has not completed his or her required training pursuant to this chapter.

(5) Chapter 34.05 RCW shall govern actions by the department of health under this section.

(6) The department of health shall adopt rules by August 1, 2009, to implement this section.

Sec. 14. RCW 74.39A.050 and 2004 c 140 s 6 are each amended to read as follows:

The department's system of quality improvement for long-term care services shall use the following principles, consistent with applicable federal laws and regulations:

(1) The system shall be client-centered and promote privacy, independence, dignity, choice, and a home or home-like environment for consumers consistent with chapter 392, Laws of 1997.

(2) The goal of the system is continuous quality improvement with the focus on consumer satisfaction and outcomes for consumers. This includes that when conducting licensing or contract inspections, the department shall interview an appropriate percentage of residents, family members, resident case managers, and advocates in addition to interviewing providers and staff.

(3) Providers should be supported in their efforts to improve quality and address identified problems initially through training, consultation, technical assistance, and case management.

(4) The emphasis should be on problem prevention both in monitoring and in screening potential providers of service.

(5) Monitoring should be outcome based and responsive to consumer complaints and based on a clear set of health, quality of care, and safety standards that are easily understandable and have

been made available to providers, residents, and other interested parties.

(6) Prompt and specific enforcement remedies shall also be implemented without delay, pursuant to RCW 74.39A.080, RCW 70.128.160, chapter 18.51 RCW, or chapter 74.42 RCW, for providers found to have delivered care or failed to deliver care resulting in problems that are serious, recurring, or uncorrected, or that create a hazard that is causing or likely to cause death or serious harm to one or more residents. These enforcement remedies may also include, when appropriate, reasonable conditions on a contract or license. In the selection of remedies, the safety, health, and well-being of residents shall be of paramount importance.

(7) ~~((To the extent funding is available, all long-term care staff directly responsible for the care, supervision, or treatment of vulnerable persons should be screened through background checks in a uniform and timely manner to ensure that they do not have a criminal history that would disqualify them from working with vulnerable persons. Whenever a state conviction record check is required by state law, persons may be employed or engaged as volunteers or independent contractors on a conditional basis according to law and rules adopted by the department.))~~ All long-term care workers shall be screened through background checks in a uniform and timely manner to ensure that they do not have a criminal history that would disqualify them from working with vulnerable persons. This information will be shared with the department of health to advance the purposes of this act.

(8) No provider or ~~((staff))~~ long-term care worker, or prospective provider or ~~((staff))~~ long-term care worker, with a stipulated finding of fact, conclusion of law, an agreed order, or finding of fact, conclusion of law, or final order issued by a disciplining authority, a court of law, or entered into a state registry finding him or her guilty of abuse, neglect, exploitation, or abandonment of a minor or a vulnerable adult as defined in chapter 74.34 RCW shall be employed in the care of and have unsupervised access to vulnerable adults.

(9) The department shall establish, by rule, a state registry which contains identifying information about ~~((personal care aides))~~ long-term care workers identified under this chapter who have substantiated findings of abuse, neglect, financial exploitation, or abandonment of a vulnerable adult as defined in RCW 74.34.020. The rule must include disclosure, disposition of findings, notification, findings of fact, appeal rights, and fair hearing requirements. The department shall disclose, upon request, substantiated findings of abuse, neglect, financial exploitation, or abandonment to any person so requesting this information. This information will also be shared with the department of health to advance the purposes of this act.

(10) ~~((The department shall by rule develop training requirements for individual providers and home care agency providers. Effective March 1, 2002,))~~ Until December 31, 2009, individual providers and home care agency providers must satisfactorily complete department-approved orientation, basic training, and continuing education within the time period specified by the department in rule. The department shall adopt rules by March 1, 2002, for the implementation of this section ((based on the recommendations of the community long-term care training and education steering committee established in RCW 74.39A.190)). The department shall



deny payment to an individual provider or a home care provider who does not complete the training requirements within the time limit specified by the department by rule.

(11) ~~Until December 31, 2009,~~ in an effort to improve access to training and education and reduce costs, especially for rural communities, the coordinated system of long-term care training and education must include the use of innovative types of learning strategies such as internet resources, videotapes, and distance learning using satellite technology coordinated through community colleges or other entities, as defined by the department.

(12) The department shall create an approval system by March 1, 2002, for those seeking to conduct department-approved training. ~~((In the rule-making process, the department shall adopt rules based on the recommendations of the community long-term care training and education steering committee established in RCW 74.39A.190.))~~

(13) The department shall establish, by rule, ~~((training;))~~ background checks~~((;))~~ and other quality assurance requirements for ~~((personal aides))~~ long-term care workers who provide in-home services funded by medicaid personal care as described in RCW 74.09.520, community options program entry system waiver services as described in RCW 74.39A.030, or chore services as described in RCW 74.39A.110 that are equivalent to requirements for individual providers.

(14) Under existing funds the department shall establish internally a quality improvement standards committee to monitor the development of standards and to suggest modifications.

(15) Within existing funds, the department shall design, develop, and implement a long-term care training program that is flexible, relevant, and qualifies towards the requirements for a nursing assistant certificate as established under chapter 18.88A RCW. This subsection does not require completion of the nursing assistant certificate training program by providers or their staff. The long-term care teaching curriculum must consist of a fundamental module, or modules, and a range of other available relevant training modules that provide the caregiver with appropriate options that assist in meeting the resident's care needs. Some of the training modules may include, but are not limited to, specific training on the special care needs of persons with developmental disabilities, dementia, mental illness, and the care needs of the elderly. No less than one training module must be dedicated to workplace violence prevention. The nursing care quality assurance commission shall work together with the department to develop the curriculum modules. The nursing care quality assurance commission shall direct the nursing assistant training programs to accept some or all of the skills and competencies from the curriculum modules towards meeting the requirements for a nursing assistant certificate as defined in chapter 18.88A RCW. A process may be developed to test persons completing modules from a caregiver's class to verify that they have the transferable skills and competencies for entry into a nursing assistant training program. The department may review whether facilities can develop their own related long-term care

training programs. The department may develop a review process for determining what previous experience and training may be used to waive some or all of the mandatory training. The department of social and health services and the nursing care quality assurance commission shall work together to develop an implementation plan by December 12, 1998.

Sec. 15. RCW 18.130.040 and 2007 c 269 s 17, 2007 c 253 s 13, and 2007 c 70 s 11 are each reenacted and amended to read as follows:

(1) This chapter applies only to the secretary and the boards and commissions having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed and designated apprentices under chapter 18.34 RCW;

(ii) Naturopaths licensed under chapter 18.36A RCW;

(iii) Midwives licensed under chapter 18.50 RCW;

(iv) Ocularists licensed under chapter 18.55 RCW;

(v) Massage operators and businesses licensed under chapter 18.108 RCW;

(vi) Dental hygienists licensed under chapter 18.29 RCW;

(vii) Acupuncturists licensed under chapter 18.06 RCW;

(viii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;

(ix) Respiratory care practitioners licensed under chapter 18.89 RCW;

(x) Persons registered under chapter 18.19 RCW;

(xi) Persons licensed as mental health counselors, marriage and family therapists, and social workers under chapter 18.225 RCW;

(xii) Persons registered as nursing pool operators under chapter 18.52C RCW;

(xiii) Nursing assistants registered or certified under chapter 18.88A RCW;

(xiv) Health care assistants certified under chapter 18.135 RCW;

(xv) Dietitians and nutritionists certified under chapter 18.138 RCW;

(xvi) Chemical dependency professionals certified under chapter 18.205 RCW;

(xvii) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;

(xviii) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;

(xix) Denturists licensed under chapter 18.30 RCW;

(xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

(xxi) Surgical technologists registered under chapter 18.215 RCW;

(xxii) Recreational therapists;

(xxiii) Animal massage practitioners certified under chapter 18.240 RCW; ((and))



(xxiv) Athletic trainers licensed under chapter 18.250 RCW; and

(xxv) Home care aides certified under chapter 18. -- RCW (the new chapter created in section 18 of this act).

(b) The boards and commissions having authority under this chapter are as follows:

(i) The podiatric medical board as established in chapter 18.22 RCW;

(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;

(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and licenses and registrations issued under chapter 18.260 RCW;

(iv) The board of hearing and speech as established in chapter 18.35 RCW;

(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;

(viii) The board of pharmacy as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;

(ix) The medical quality assurance commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The nursing care quality assurance commission as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW; and

(xiv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority.

(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the Uniform Disciplinary Act, among the disciplining authorities listed in subsection (2) of this section.

Sec. 16. RCW 18.130.040 and 2008 c ... (Fourth Substitute House Bill No. 1103) s 18 are each amended to read as follows:

(1) This chapter applies only to the secretary and the boards and commissions having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed and designated apprentices under chapter 18.34 RCW;

(ii) Naturopaths licensed under chapter 18.36A RCW;

(iii) Midwives licensed under chapter 18.50 RCW;

(iv) Ocularists licensed under chapter 18.55 RCW;

(v) Massage operators and businesses licensed under chapter 18.108 RCW;

(vi) Dental hygienists licensed under chapter 18.29 RCW;

(vii) Acupuncturists licensed under chapter 18.06 RCW;

(viii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;

(ix) Respiratory care practitioners licensed under chapter 18.89 RCW;

(x) Persons registered under chapter 18.19 RCW;

(xi) Persons licensed as mental health counselors, marriage and family therapists, and social workers under chapter 18.225 RCW;

(xii) Persons registered as nursing pool operators under chapter 18.52C RCW;

(xiii) Nursing assistants registered or certified under chapter 18.88A RCW;

(xiv) Health care assistants certified under chapter 18.135 RCW;

(xv) Dietitians and nutritionists certified under chapter 18.138 RCW;

(xvi) Chemical dependency professionals certified under chapter 18.205 RCW;

(xvii) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;

(xviii) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;

(xix) Denturists licensed under chapter 18.30 RCW;

(xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

(xxi) Surgical technologists registered under chapter 18.215 RCW;

(xxii) Recreational therapists;

(xxiii) Animal massage practitioners certified under chapter 18.240 RCW; ~~((and))~~

(xxiv) Athletic trainers licensed under chapter 18.250 RCW; and

(xxv) Home care aides certified under chapter 18. -- RCW (the new chapter created in section 18 of this act).

(b) The boards and commissions having authority under this chapter are as follows:

(i) The podiatric medical board as established in chapter 18.22



RCW;

(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;

(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and licenses and registrations issued under chapter 18.260 RCW;

(iv) The board of hearing and speech as established in chapter 18.35 RCW;

(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;

(viii) The board of pharmacy as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;

(ix) The medical quality assurance commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The nursing care quality assurance commission as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW; and

(xiv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses. The disciplining authority may also grant a license subject to conditions.

(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the Uniform Disciplinary Act, among the disciplining authorities listed in subsection (2) of this section.

NEW SECTION. Sec. 17. The definitions in RCW 74.39A.009 apply throughout [chapter 18. RCW (the new chapter created in section 18 of this act)] unless the context clearly requires otherwise.

NEW SECTION. Sec. 18. Sections 4, 6, 7, 13, and 17 of this act constitute a new chapter in Title 18 RCW.

NEW SECTION. Sec. 19. The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes

of this act.

NEW SECTION. Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 21. This act may be known and cited as the better background checks and improved training for long-term care workers for the elderly and persons with disabilities initiative of 2008.

NEW SECTION. Sec. 22. Section 11 of this act takes effect September 1, 2009.

NEW SECTION. Sec. 23. Section 15 of this act does not take effect if section 18, chapter ... (Fourth Substitute House Bill No. 1103), Laws of 2008 is signed into law by April 6, 2008.

NEW SECTION. Sec. 24. Section 16 of this act takes effect if section 18, chapter ... (Fourth Substitute House Bill No. 1103), Laws of 2008 is signed into law by April 6, 2008.

PLEASE NOTE

In the text of the measures, any language in double parentheses with a line through it is existing state law and will be taken out of the law if the measure is approved by voters. Any underlined language does not appear in current state law but will be added to the law if the measure is approved by voters.

U.S. President and Vice President (Partisan Office, 4-year term)



Barack Obama

(Democratic Party Nominee)

Obama for America
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Joe Biden

(Democratic Party Nominee)

President Biographical Information

Current Occupation/Employer: United States Senator

Education: Graduated from Columbia University and Harvard Law School where he was elected President of the Harvard Law Review by his fellow students.

Elected Experience: Served 8 years as Illinois State Senator; Currently a U.S. Senator

Family: Senator Obama and his wife Michelle are proud parents of two daughters, Sasha, 7 and Malia, 10.

Significant Career Experience: Two decades ago, Senator Obama walked away from a career on Wall Street to work as a community organizer where he helped rebuild communities devastated by plant closings. He went on to become a civil rights lawyer and a Constitutional Law Professor at the University of Chicago.

Vice President Biographical Information

Current Occupation/Employer: United States Senator

Education: Graduated from the University of Delaware and Syracuse University Law School

Elected Experience: New Castle County Councilman (Delaware), currently a U.S. Senator

Family: Married to Jill Jacobs and has three grown children: Beau, Hunter and Ashley. Beau currently serves as Delaware's Attorney General; a captain in the 261st Signal Brigade of the Delaware National Guard, he will be deployed to Iraq this October. Ashley is a social worker and Hunter is an attorney. He also has five grandchildren: Naomi, Finnegan, Roberta Mabel, Natalie, and Robert Hunter.

Significant Career Experience: Attorney, county councilman, and constitutional law professor.

Candidate Statement

At this defining moment in our nation's history, we have an opportunity to keep the American promise alive. Through hard work, we can pursue our individual dreams but still come together as one American family to ensure the next generation can pursue their dreams as well.

I'm running for President to turn the page on the failed politics of the past: politics that divide us instead of unite us, politics where lobbyists write the laws and where the interests of the wealthiest few are put before those of hard-working Americans.

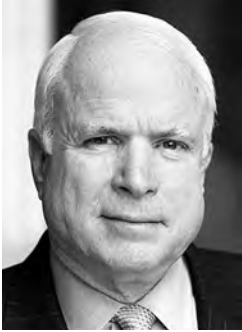
From declining wages to the cost of gas, families are struggling. As president, I'll bring Democrats and Republicans together to solve the problems we face. I'll invest in affordable, renewable sources of energy to create millions of jobs, reduce our dependence on foreign oil, and protect the planet. I'll end tax breaks to corporations that ship jobs overseas and put a middle-class tax cut into the pockets of working families, struggling homeowners, and seniors who deserve a secure retirement.

I'll ensure that men and women receive equal pay for equal work. I'll ensure all Americans have access to quality, affordable health care, just like the plans Members of Congress give themselves. I'll invest in early childhood education, recruit a new generation of teachers and make college affordable for anyone who wants to go. I'll end the war in Iraq responsibly – a war I opposed from the start – and finish the fight against al Qaeda and the Taliban. I'll lock down loose nuclear weapons, and uphold our sacred commitment to veterans and their families.

We can no longer pit Blue States against Red States. To overcome the challenges we face as a nation, we must unite in common cause and work together to restore the promise that makes America great.

U.S. President and Vice President (Partisan Office, 4-year term)

(Page 2 of 8)



John McCain

(Republican Party Nominee)

McCain – Palin 2008
PO Box 16118
Arlington, VA 22215
Website: www.johnmccain.com



Sarah Palin

(Republican Party Nominee)

President Biographical Information

Current Occupation/Employer: U.S. Senator

Education: Graduate of the U.S. Naval Academy

Elected Experience: U.S. House of Representatives; U.S. Senate

Family: Wife Cindy; seven children

Significant Career Experience: Naval aviator; Navy Liaison to U.S. Senate.

John McCain has a remarkable record of leadership and has always put our country first. He has been a consistent leader in the fight to reform Washington, eliminate wasteful government spending and lower taxes. John McCain will also continue his fight to achieve strategic energy independence from foreign oil and get our economy back on track.

Vice President Biographical Information

Current Occupation/Employer: Governor of Alaska

Education: The University of Idaho

Elected Experience: Governor of Alaska; Mayor of Wasilla

Family: Husband Todd; five children

Significant Career Experience: During her first legislative session, Governor Palin's administration passed two major pieces of legislation – an overhaul of the state's ethics laws and a competitive process to construct a gas pipeline. She created Alaska's Petroleum Systems Integrity Office to provide oversight and maintenance of oil and gas equipment, facilities and infrastructure, and the Climate Change Subcabinet to prepare a climate change strategy for Alaska. She serves as Chair of the Oil & Gas Compact Commission and Chair of the National Governors Association Natural Resources Committee.

Candidate Statement

In war and peace, I have been a dedicated servant of our country. Whenever I faced an important choice between our country's interests, party politics or special interests, I chose our country.

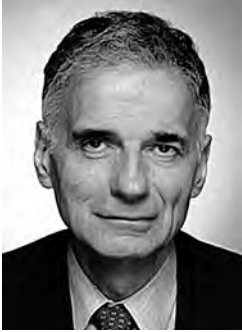
I will continue to put our country first by ushering in a new era of reform, prosperity and peace. If I'm elected President, the era of the permanent campaign will end. The era of problem solving will begin. Washington is broken, and I intend to fix it. All you've ever asked of government is that it stand on your side, not in your way.

I will stand by your side to grow this economy, create more jobs and get America moving again. I will aggressively push to develop alternative energies while expanding our use of existing

energy resources here at home. As President, I intend to provide future generations of Americans with a safer, more peaceful world than the one we inherited. We will achieve energy security and ensure that healthcare is affordable and available for all. It is incumbent on America, more than any other nation on earth, to lead in building the foundations for a stable and enduring peace.

I will put an agenda of reform, prosperity and peace for America before any partisan interest or special interest. I will keep that promise every hour of every day I am in office.

U.S. President and Vice President (Partisan Office, 4-year term)



Ralph Nader

(Independent Candidate)

Nader for President 2008
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Matt Gonzalez

(Independent Candidate)

President Biographical Information

Current Occupation/Employer: Consumer Advocate

Education: AB magna cum laude from the Woodrow Wilson School of International Affairs at Princeton University. He received an LLB with distinction from Harvard Law School.

Significant Career Experience: Instrumental in the passage of the Occupational Safety and Health Act, the Freedom of Information Act, the Safe Drinking Water Act, the Clean Air Act, and the creation of the Environmental Protection Agency. Founder of hundreds of non-profit organizations, including Public Citizen, the Pension Rights Center, the Public Interest Research Groups, and the Center for the Study of Responsive Law. Named one of *Time* magazine's "100 Most Influential Americans in the Twentieth Century."

Vice President Biographical Information

Current Occupation/Employer: Civil Rights Attorney

Education: He received a Bachelor's degree from Columbia College, Columbia University, 1987, and a Juris Doctor from Stanford Law School in 1990.

Elected Experience: San Francisco Board of Supervisors (2000-2005); Board President (2003-2005).

Significant Career Experience: Implemented the highest minimum wage in the country in San Francisco. Successfully fought for electoral reform (Instant Run-Off Voting). Oversaw an economy with a budget of \$6 billion. In 2003, narrowly lost campaign for San Francisco Mayor as a Green Party candidate.

Candidate Statement

Chances are, your quality of life is better because of Ralph Nader.

The cars we drive, the air we breathe and the water we drink are all safer because of his forty years of public service. Called America's most important private citizen, Nader has built up a legislative record of progressive reform that eclipses most modern presidents.

He has saved lives, opened minds, implemented solutions, and inspired citizens to build a better world. He has tirelessly worked for justice for all, and is known for his ethics, integrity, and independence.

It's time for *real* progressive change.

It's time to break the stranglehold that corporations and their lobbyists have on our government and Shift the Power in this country from the few back to the many.

It's time to end the current "pay or die" healthcare system and adopt universal, single-payer healthcare.

It's time to end the war and occupation of Iraq and bring all of our soldiers home in a rapid, responsible withdrawal, to be completed within six months.

It's time to reclaim our Bill of Rights and repeal attacks on our civil liberties like the so-called PATRIOT Act, imprisonment without charges, systemic torture, and warrantless domestic spying.

It's time to cut the wasteful and bloated military budget and invest instead in a public works program to fix our crumbling public schools, libraries, public transit, and create millions of good-paying jobs that can't be exported.

It's time to end "pull down" corporate trade agreements like NAFTA, and predicate all trade policy on the defense of worker's rights and the environment.

It's time for a leader with the political will to implement these majoritarian redirections for our country. A leader who will never talk down to you, never pander to you, never betray you.

It's time for Ralph Nader.

U.S. President and Vice President (Partisan Office, 4-year term)

(Page 4 of 8)



Gloria La Riva

(Socialism & Liberation Party Nominee)

Socialism & Liberation
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Website: www.VotePSL.org



Eugene Puryear

(Socialism & Liberation Party Nominee)

President Biographical Information

Current Occupation/Employer: President, Typographical Sector, Media Workers Union, Local 39521, CWA (Communication Workers of America)

Education: Brandeis University

Elected Experience: Union president since 2002. Peace and Freedom Party nominee, California governor, 1994, 1998. Elected National Committee member, Party for Socialism and Liberation.

Significant Career Experience: Labor, progressive, community organizer for 35 years. Led union drive, Rochester, NY, 1979. Organizer, speaker at mass anti-war, immigrant rights rallies. Volunteer, ANSWER Coalition (Act Now to Stop War and End Racism). Coordinated medical shipments, traveled to Iraq to oppose U.N./U.S. sanctions. Traveled to New Orleans after Hurricane Katrina and Iowa after flooding. Coordinator, National Committee to Free the Cuban Five.

Candidate Statement

Eugene Puryear and I are candidates of the Party for Socialism and Liberation. The PSL is a party of the working class—the vast majority. Our party is active in many struggles that affect working people.

The United States is the richest country in the world. Every person should have the right to free health care, education, job training, childcare, affordable food and housing, and a good job with full benefits. Under capitalism, the wealth created by workers is unjustly controlled by the rich. Their economic decisions are based on maximizing profits, regardless of the cost to people or the planet.

The PSL stands for putting peoples' needs first. We stand against racism, national oppression and for full rights for immigrants. We oppose sexism and support women's reproductive rights. We stand for full equality for the lesbian, gay, bisexual and transgender community. The PSL supports affirmative action, bilingual education and disability rights, and opposes police brutality, mass imprisonment and the death penalty. We stand for a system that is environmentally sustainable.

Vice President Biographical Information

Current Occupation/Employer: Student; community organizer in Washington, D.C.; progressive activist on national and international issues.

Education: Howard University

Elected Experience: Elected National Committee member, Party for Socialism and Liberation

Significant Career Experience: Organizer, speaker at mass anti-war rallies in Washington, D.C.; volunteer with the ANSWER Coalition (Act Now to Stop War and End Racism); activist in the movement to Free the Jena 6 of Louisiana; member of Coalition to Save Our Neighborhood Schools, which opposes public school closures; member of Coalition for Peace, which organizes annual Martin Luther King, Jr. Memorial Peace Walk; Editorial Board member and contributor, *Liberation* newspaper and *Socialism and Liberation* journal

The PSL calls for an immediate end to the Iraq and Afghanistan wars, the blockade of Cuba, and all U.S. interventions, sanctions and “free” trade agreements. We want a foreign policy based on friendship and equality, not imperialist domination.

The PSL calls for a rollback in energy prices and nationalization of the energy and utility companies.

Workers are asked to vote every four years for who will oppress them for the next four years. Real change comes not as a gift from politicians, but when the people organize to fight for their rights.

The PSL provides a true alternative to the Democrats and Republicans who represent the interests of the military-industrial complex, banks and Big Oil.

Vote Socialism and Liberation – Vote La Riva/Puryear!

U.S. President and Vice President (Partisan Office, 4-year term)



James E. Harris
(Socialist Workers Party Nominee)
Socialist Workers 2008 Campaign
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Seattle, WA 98118
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Website: www.themilitant.com



Alyson Kennedy
(Socialist Workers Party Nominee)

President Biographical Information

Significant Career Experience: James Harris, 60, is a socialist who has been an activist in the fight for Black rights and in the union movement for decades. He is a meatpacker and a member of the United Food and Commercial Workers Union (UFCW). Harris supports full legalization for all immigrants. He is for the immediate withdrawal of all U.S. troops from Iraq, Afghanistan and everywhere else. Harris is an active campaigner for the immediate release from prison of the Cuban 5, who are Cuban revolutionaries who have been framed up and imprisoned by the U.S. government for the past 10 years.

Vice President Biographical Information

Significant Career Experience: Alyson Kennedy, 57, is a garment worker. A socialist and trade union fighter for more than three decades, she is a member of the Socialist Workers Party's National Committee. Kennedy has worked in coal mines in Alabama, Colorado, Utah, and West Virginia. She joined the United Mine Workers of America (UMWA) in 1981. From 2003 to 2006 Kennedy was a leading militant in a union organizing battle at the Co-Op coal mine outside Huntington, Utah. She joined with truckers protesting high fuel costs and participated on the front lines of struggles to defend immigrant workers from government assault.

Candidate Statement

The biggest capitalist financial crisis since the Great Depression of the 1930s is taking a grinding toll on workers and farmers worldwide. Today the billionaire ruling families and their spokespeople in the U.S. are trumpeting the success of their many-year long efforts to undermine our wages, job conditions and living standards. They're celebrating the ground taken in further weakening our unions – workers' first line of defense.

What lies ahead for working people will be many years of escalating antilabor assaults, scapegoating of immigrants, and increasing class battles. The Socialist Workers campaign offers a course of action for workers and farmers to defend ourselves and our toiling allies against the devastating consequences of capitalism's deepening world disorder and to advance our own class interests.

Join us in campaigning for the working-class alternative, running against the capitalist class!

The Socialist Workers Campaign supports workers' efforts to organize unions and to extend and use union power to defend working people.

The unions must organize the unorganized. The fight for immediate legalization of all undocumented workers, with no penalties or conditions, is a matter of life and death for unions today.

The Socialist Workers candidates demand regular cost-of-living increases in all wages and benefits as well as federal legislation to shorten the workweek with no cut in pay to spread available work to all.

The working-class needs our own political party based on a fighting union movement, to contest against the Democrats, Republicans and other capitalist parties.

We must build a revolutionary movement of millions to replace the state power and class rule of a tiny minority. We must establish a workers and farmers government that can abolish capitalism, reorganize society in the interests of the vast majority, and join in the worldwide struggle for socialism.

U.S. President and Vice President (Partisan Office, 4-year term)

(Page 6 of 8)



Bob Barr

(Libertarian Party Nominee)

Bob Barr for President
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Website: www.BobBarr2008.com



Wayne A. Root

(Libertarian Party Nominee)

President Biographical Information

Current Occupation/Employer: Attorney, Law Offices of Edwin Marger

Education: Graduate of Georgetown University Law Center; MA in International Affairs from George Washington University; BA from University of Southern California

Elected Experience: U.S. Congressman

Family: Married to Jeri Barr, two children

Significant Career Experience: Analyst for the Central Intelligence Agency, 1971-1978; United States Attorney for the Northern District of Georgia, 1986-1990; Elected to U.S. House of Representatives, 1995-2003; Board Member of the National Rifle Association, 1997-present

Vice President Biographical Information

Current Occupation/Employer: small business owner

Education: B.A. in Political Science from Columbia University

Family: Married to Debra Root, four children

Significant Career Experience: Host and anchorman on Financial News Network, 1989-1991; Contributing Sports Editor of *The Robb Report* magazine, 1989-1990; Author of the business book *The Joy of Failure!*, 1997; Chairman and CEO of his small business, 2000-present; Contributing Editor to *Millionaire* magazine, 2006-2007

Candidate Statement

Throughout his distinguished career, Bob Barr has proven that he is the leader Americans need to restore confidence of the American people in the future of their nation. Both working for the American people as a Congressman from Georgia and afterwards partnering with groups dedicated to protecting civil liberties, Bob has shown a commitment to shrinking government and giving power back to the people.

Americans know that the answer to today's problems is not more government, and Bob will work tirelessly to cut taxes, reduce government spending and restore our civil liberties lost during the Bush administration. Having seen the true nature of government from inside and out, only Bob Barr has the qualifications, the passion, and the commitment to work for the American people in their interest--not the government's.

Since leaving Congress where he served as the vanguard of the Second Amendment, Bob worked to increase individual liberty and privacy rights through such organizations as the Kennedy School of Government at Harvard University and the American Conservative Union as the 21st Century Liberties Chair for Freedom and Privacy. For his work on protecting the privacy and civil liberties of all Americans, legendary *New York Times* columnist William Safire dubbed Bob "Mr. Privacy."

If there is one candidate who consistently comes down on the side of the American people's rights, it is Bob Barr. Bob knows the answer is less government, and has proven that he will deliver the real change necessary to lead America into a new era of prosperity and freedom.

U.S. President and Vice President (Partisan Office, 4-year term)



Chuck Baldwin

(Constitution Party Nominee)

Baldwin 2008
5500 Division
Grand Rapids, MI 49548
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Email: contact@baldwin2008.com
Website: www.baldwin08.com



Darrell L. Castle

(Constitution Party Nominee)

President Biographical Information

Current Occupation/Employer: Founder and pastor of Crossroad Baptist Church in Pensacola, Florida, radio talk show host of *Chuck Baldwin Live* for 10 years, columnist, author.

Education: Attended Midwestern Baptist College, graduated from Liberty Bible Institute at Liberty University and holds a master's degree from Christian Bible College. Baldwin holds two honorary doctor of divinity degrees—from Christian Bible College and Trinity Baptist College.

Family: Chuck and his wife Connie have three children and six grandchildren.

Significant Career Experience: Baldwin is a past chair of the Florida Moral Majority and 2004 Constitution Party Vice Presidential Candidate.

Vice President Biographical Information

Current Occupation/Employer: Attorney in private practice with firms in Memphis, TN, St. Louis, MO, and Kansas City, MO.

Education: *B.A. in History and Political Science*, East Tennessee State University; *J.D. degree*, Memphis State University Law School (University of Memphis).

Family: Wife of 30 years, Joan, one grown daughter.

Significant Career Experience: 2nd Lieutenant in the United States Marine Corps, Viet Nam veteran; Constitution Party of Tennessee State Chairman, Instructor of the Institute on the Constitution course; Member, Board of Directors of the Conservative Caucus; Past Chairman of the National Veterans Coalition; Founder, Mia's Children, outreach ministry to homeless children, Bucharest, Romania.

Candidate Statement

As president, I would measure every issue in light of the Constitution. I would start the process of bringing our troops home from Iraq and Afghanistan and the more than 130 countries in which they are stationed.

I would honor our veterans by ensuring them the best and most timely medical care. If I were President, I would also do everything in my power to locate all MIA's and POW's.

Instead of guarding borders around the world, I would make sure our borders at home are sealed and work to end the practice of hiring of illegal aliens. There would no longer be taxpayer-funded education, medical care or other benefits for those here unlawfully. I would encourage Congress to pass Congressman Ron Paul's Sanctity of Life Act. This bill would declare that unborn babies are persons under the law. In addition, under the authority of Article. III. Section. 2. of the U.S. Constitution, it would remove abortion from the jurisdiction of the Court.

I would defend the Constitutional rights of gun owners and homeschoolers which have suffered egregious attacks on their rights.

I would work to overturn the so-called Patriot Act, which has gutted significant portions of our Constitution.

I would end all so-called "free trade" agreements like NAFTA, and GATT. The NAFTA Superhighway and the proposed North American Union would no longer be a threat to American sovereignty.

There is no reason for us to be dependent upon OPEC. We must begin drilling for the domestic oil we know exists and build more refineries and nuclear power plants. Gas prices would reflect the wisdom of relying on our own natural resources.

Americans are counting on a return to limited, Constitutional government.

U.S. President and Vice President (Partisan Office, 4-year term)

(Page 8 of 8)



Cynthia McKinney

(Green Party Nominee)

Power To The People Committee,
Cynthia McKinney for President
PO Box 311759
Atlanta, GA 31131-1759
Website: www.RunCynthiaRun.org/



Rosa Clemente

(Green Party Nominee)

President Biographical Information

Current Occupation/Employer: Global Human Rights and Peace Activist, Public Speaking, Lecturer, and Researcher.

Education: BA, University of Southern California, Los Angeles; Masters from the Fletcher School of Law and Diplomacy, Tufts University; currently a Doctoral Candidate at the University of California, Berkeley.

Elected Experience: Served six terms in the U.S. Congress and two terms in the Georgia General Assembly.

Family: Proud mother to a son, Coy, daughter of Billy and Leola McKinney

Significant Career Experience: Has taught at multiple post secondary colleges.

Vice President Biographical Information

Current Occupation/Employer: Community Organizer, trainer, lecturer, independent journalist and Hip-Hop activist.

Education: Graduated with a BA from the State University of New York, Albany and an MPS from Cornell University.

Elected Experience: No previous publicly elected positions.

Family: Married with a young daughter, Alicia Maria.

Significant Career Experience: Academic research focused on National Liberation struggles, a youth representative at the 2001 United Nations World Conference against Xenophobia, Racism and Related Intolerance in South Africa; in 2003, helped form and coordinate the first ever National Hip Hop Political Convention (drawing 3000 attendees).

Candidate Statement

Cynthia McKinney served 12 years in the United States Congress where she proved to be a courageous voice for the voiceless peoples of the nation and the world, speaking truth to power. She authored legislation that would have: eliminated federal subsidies for corporations taking jobs overseas; instituted a national livable wage; repealed the Military Tribunals Act; provided for national forest protection and restoration; eliminated the use of depleted uranium weapons; denied federal assistance to law enforcement agencies violating human rights; allowed 9/11/2001 victims the right to participate in the Victims Compensation Fund and sue those responsible; and impeached Bush, Cheney, and Rice.

McKinney successfully extended Agent Orange benefits an additional 25 years; authorized the USDA disparity study that demonstrated USDA discrimination against minority farmers, and directed the Pentagon to study how it handled conscientious objection.

Cynthia will implement radical common sense solutions to America's myriad problems. With a view toward the long term, she asks us all to be willing to do some things we've never done before in order to have some things we've never had before.

The Power to the People Committee is Cynthia's way of proving what Bobby Kennedy said so long ago: "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope; and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance."

U.S. Congressional District 3 Representative (Partisan Office, 2-year term)



Brian Baird

(Prefers Democratic Party)

Brian Baird for Congress
PO Box 5016
Vancouver, WA 98668
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Email: cgipson@brianbaird.com
Website: www.brianbaird.com

Biographical Information

Current Occupation/Employer: U.S. Representative, 3rd Congressional District since 1998.

Education: Ph.D. & M.S. Clinical Psychology, University of Wyoming; B.S. Psychology, University of Utah.

Elected Experience: Chair – House Science Committee - Research and Education Subcommittee; Transportation and Infrastructure Committee, Budget Committee. Founded Congressional Caucus to fight Methamphetamine; Career and Technical Education Caucus.

Family: Married to Rachel Nugent, two children – twin boys William and Walter

Significant Career Experience: Clinical Psychology specializing in work with brain injury and cancer patients in medical centers, VA Hospitals and other clinical settings. Chair, Department of Psychology, Pacific Lutheran University.

Candidate Statement

As your Congressman I've worked to bring common sense, independent leadership and proven solutions to the things that matter most for Southwest Washington and our nation. Throughout our district and across the political spectrum, I hear from voters that they appreciate having a representative who looks beyond partisan politics and is willing to do what is right.

With your help and support, I have led congressional efforts to restore sales tax deductibility, promote comprehensive health care solutions, support our troops and veterans, and combat methamphetamine drug abuse. I voted to secure our borders and end illegal immigration and I championed the "Buy America Act" to strengthen our economy and protect good American jobs and retirement benefits.

I have also worked to improve vocational and science education in our schools and I voted to end manipulation of energy markets and lower gas and electricity prices.

Most importantly of all, I have always given my utmost to support the needs of our local communities and citizens in Southwest Washington.

Together, we have accomplished a great deal, but we face many challenges today and in the years ahead. We cannot solve those challenges unless we have the courage to face them squarely and honestly and do what is right to get our country back on track. I believe if we all pull together, focus more on what is good for our country and less on politics, there is nothing we cannot accomplish.

I welcome your suggestions and ideas and I would be honored to have your vote.

U.S. Congressional District 3

Representative (Partisan Office, 2-year term)

(Page 2 of 2)



Michael Delavar

(Prefers Republican Party)

Committee to Elect Delavar for Congress
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Website: www.delavarforcongress.com

Biographical Information

Current Occupation/Employer: Airline Pilot, Horizon Airlines

Education: BA University of Colorado, Colorado Springs

Elected Experience: Elected as a delegate to the Republican State Convention 2008

Family: Married, two children

Significant Career Experience: As a captain with the airlines, I followed the rules and kept passengers safe.

Candidate Statement

As an airline pilot, I take safety and security seriously and have seen how the economy is affecting our region.

Businesses are saddled with taxes and regulations that make it cheaper to move jobs overseas. Then, while citizens struggle financially, Congress increases the debt and prints money, making our dollars worth less. These actions are a threat to our economy and threat to the health of programs like Social Security. *I will not vote for a tax increase or an unbalanced budget.* I will work with my colleagues to reduce burdens and regulations on small businesses. I will work to fund projects such as a critically needed new I-5 bridge through existing gas taxes and not with tolls or new taxes.

America needs to diversify our energy sources. We must encourage the development of our petroleum resources as well as alternative energies to provide energy security in an environmentally friendly way, as Europe and Japan have already done.

I will work to secure our borders, oppose amnesty, and enforce our existing visa rules.

Our troops have completed their original mission overseas. It is time to bring them home to their families to protect our borders instead of borders around the world. In lieu of an occupation we cannot afford, we must pursue constitutional mechanisms to deal aggressively with terrorists while preserving our freedoms. Finally, I will defend this country and the US Constitution against all who work to attack it regardless of the circumstances. It is precisely in times of crisis that we need to protect our Bill of Rights.

As your representative to Congress, I will take the same level of care and judgment in my legislative decisions that has allowed me to transport many of you, my friends and neighbors, safely throughout the years as a pilot.

Governor

(Partisan Office, 4-year term)



Christine Gregoire

(Prefers Democratic Party)

People for Chris Gregoire
PO Box 2771
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Email: chris@chrisgregoire.com
Website: www.chrisgregoire.com

Biographical Information

Current Occupation/Employer: Governor, Washington State

Education: J.D., Gonzaga University, 1977; B.A., University of Washington, 1969

Elected Experience: Attorney General, 1992-2004

Family: First Mike is Governor Gregoire's biggest supporter and a great father to their daughters, Courtney and Michelle. The Gregoire family just welcomed their new son-in-law Scott.

Significant Career Experience: Governor Gregoire is a proven leader who has gotten results for Washingtonians by protecting our communities; providing health care for adults and children; investing in education; creating jobs and improving our environment and quality of life. As Attorney General, she successfully fought to clean up Hanford, stop identity thieves and led the fight to hold tobacco companies accountable.

Candidate Statement

The failed policies of the Bush Administration have left Washington and all of America facing tough times.

Yet, we're better prepared than most states to weather this storm because of the fiscally responsible and far-sighted leadership of Governor Chris Gregoire.

- Gregoire's prudent budgeting *eliminated the \$2.2 billion deficit* she inherited, and she *created the state's Rainy Day Fund* to protect against tough times.
- Gregoire helped *create over 200,000 new jobs* and more new business start-ups than any other state, even in the face of national credit and energy crises.
- With family budgets strained, Gregoire passed the *1% cap on property taxes* and *opposes* a state income tax.

As tough economic times created pressure to forego our priorities, Governor Gregoire refused to sacrifice our children's health, education and safety.

- As a legislator, Dino Rossi tried to slash health care for 46,000 low-income children, but Gregoire stopped those cuts and *expanded health care coverage to 84,000 additional children*.

- When overcrowded prisons and Rossi's plan to release criminals early threatened our safety, Gregoire built 4,000 new prison beds, *required electronic ankle bracelets and increased jail sentences for sex offenders*, resulting in the lowest crime rate in 14 years.

- As Chair of the Ways & Means Committee, Rossi wrote a budget that slashed voter-approved funding to lower class size and pay our teachers, but Gregoire listened to voters and *invested in our children's education*.

In these tough times, we need her kind of leadership to continue taking on tough challenges and getting real results for Washington families.

The alternative?

A George Bush Republican who will take our state backward by supporting tax cuts for the wealthy, cutting children's health care, opposing comprehensive stem cell research and a woman's right to choose.

On November 4th, vote Gregoire for Governor, and keep our state moving forward.



Dino Rossi

(Prefers G.O.P. Party)

Dino Rossi for Governor
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Bellevue, WA 98015
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Biographical Information

Current Occupation/Employer: Commercial Real Estate

Education: B.A., Business Management, Seattle University

Elected Experience: Washington State Senate, 1996-2003

Family: Dino Rossi, the youngest of seven children raised by a Seattle public schoolteacher and a beautician with Italian, Irish and Tlingit Alaskan Native heritage, grew up in Mountlake Terrace. Dino and his wife Terry now live in Sammamish with their four children.

Significant Career Experience: In 2003, as Chair of the Senate Ways & Means Committee, he built a bipartisan coalition to balance the largest budget deficit in state history without raising taxes while still protecting the poor and vulnerable. He was the GOP nominee for Governor in 2004.

Candidate Statement

Dino Rossi – A governor who will fix some problems...for a change.

Governors in other states are controlling spending - but not here. While unemployment rises and families tighten their belts, state government spends more money creating a growing \$2.7 billion deficit. The incumbent's answer: more tax increases.

Dino Rossi is a businessman. He'll watch our tax dollars like a hawk and cut waste, because the answer to Washington's challenges isn't always to spend more tax money, but to spend our money wisely.

Washingtonians must be safe. More than 1300 convicted sex offenders threaten families here because the state allowed them to register as "homeless," so they can't be tracked. Over 3100 violent felons were released early from prison. Dino will take action his first day in office to change these policies.

Other Governors are reforming education and helping prepare students for global competition. More money is spent in education each year here, but fewer than half of our students can pass all parts of the WASL exam. The incumbent still supports the WASL test

with no math and science requirement. Dino Rossi will replace the WASL with a proven standardized test modeled after successful exams from other states and require students to meet fair and rigorous standards.

Other states are making progress fixing traffic congestion. Here, the incumbent raised gas taxes to the nation's highest but commute times just get longer, while critical transportation projects are over budget and years behind schedule. Dino Rossi's specific plan will fix nine major traffic chokepoints without more taxes and provide incentives to purchase environmentally friendly hybrid and electric vehicles.

Christine Gregoire says we should be satisfied – Dino Rossi knows Washington state can do so much better.

Let's fix some problems for a change...vote Dino Rossi.

Lieutenant Governor

(Partisan Office, 4-year term)



Brad Owen

(Prefers Democratic Party)

Citizens for Lieutenant Governor
Brad Owen
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Biographical Information

Current Occupation/Employer: Lieutenant Governor, State of Washington

Education: Graduate of Frankfurt American High School, Frankfurt, Germany; Honorary Doctorate Walla Walla University

Elected Experience: Lieutenant Governor 1997-present, State Senate 1983-1997, State House of Representatives 1976-1983, City of Shelton Finance Commissioner 1976-1980

Family: Married to wife Linda, 3 daughters, 3 adopted sons 2 from Korea, 13 grandchildren

Significant Career Experience: Boeing worker, Small Businessman for 22 years, Founder, Manager and President of Strategies for Youth since 1989

Candidate Statement

Brad Owen is an accomplished leader who gets things done! He was elected as Washington State's fifteenth lieutenant governor in 1996 and reelected by large majorities in his last two campaigns.

Brad Owen is dedicated to making Washington a state for healthy kids and safe communities. He has made substance abuse prevention and child welfare a top priority of his office. As president of Strategies of Youth, he travels throughout the state with his musical, multi media program to deliver positive messages about substance abuse and bullying awareness to youth. He partnered with the National Shooting Sports Foundation to promote Project ChildSafe, which distributed 240,000 free safety gunlocks throughout the state and is co-chair of Washington State Mentors.

Brad Owen is a strong advocate for economic development. He has traveled throughout the world promoting Washington State's products and economy. He was recently awarded the Spanish order of knighthood by order of the King of Spain for his work in promoting economic development, education, culture and peace.

Brad Owen is an avid sportsman and environmentalist. He will continue to work to maintain our unique lifestyle that centers on our love for the outdoors.



Marcia McCraw

(Prefers Republican Party)

Marcia McCraw for Lt. Governor
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Biographical Information

Current Occupation/Employer: Licensed to practice law: Washington; New York; California and Hawaii. Specialize in health care; hospitality; business law.

Education: Cornell University; Hong King University; Western New England College School of Law. Speak fluent Mandarin Chinese; conversational French; Spanish and Japanese

Elected Experience: Makiki Council, Honolulu, Hawaii

Family: Divorced; two adult children

Significant Career Experience: Administrative Law Judge, New York State Dept. of Labor; Director, Legal Affairs - Aegis Living; Director of Administration AFM Hospitality Co; Volunteer/Community: USO Puget Sound Board; AIPAC; U.S. Holocaust Memorial Museum Council; United Way of King County; YWCA;

Weitzmann Institute of Science and Technology; Pacific Science Center; Woodland Park Zoological Society

Candidate Statement

If you elect me Lt. Governor of Washington, I will support open and transparent government conducting the official duties fairly and honestly.

I will use public service to promote what is best in Washington.

I have lived in Asia and worked in international trade. Trade and tourism offer great benefits to the people of Washington. Whether they grow apples or wheat, bottle wine, build airplanes or write code, people in these businesses are the backbone of Washington. I will work to keep them strong.

You may have noticed that when any problem surfaces, Olympia mandates expensive programs.

My community experience has shown me that we have the opportunity to incorporate the power of volunteerism into our state. Using technology and thousands of willing volunteer organizations, we can create a statewide database that matches willing volunteers and those who need our help – the aged, the homeless, at-risk youth, every good cause.

Let's put the energy of Washingtonians to work now.

I'm running for Lieutenant Governor to work with you to renew Washington. It is time to change one party rule in Olympia and embrace diversity and balanced opinion.

I ask for your support and vote.

Secretary of State

(Partisan Office, 4-year term)



Sam Reed

(Prefers Republican Party)

Citizens for Sam Reed
PO Box 522
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Biographical Information

Current Occupation/Employer: Secretary of State since 2001.

Education: Attended Washington State University and earned a Bachelor's Degree in Social Studies and Master's Degree in Political Science.

Elected Experience: Two terms as Secretary of State, and five terms as Thurston County Auditor.

Family: Sam and Margie have been married for more than 40 years and have two children and two grandchildren. Secretary Reed, whose family lived in Washington in territorial days, grew up in Wenatchee. His family moved to Spokane where he graduated from Lewis and Clark High School.



Jason Osgood

(Prefers Democratic Party)

Friends of Jason Osgood
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Website: www.jasonosgood.com

Biographical Information

Current Occupation/Employer: MedPlus, Inc.

Elected Experience: Precinct Committee Officer

Family: I'm proud of my son, an Eagle Scout, who is in high school.

Significant Career Experience: Co-founder of Washington Citizens for Fair Elections. Nationally recognized advocate for election integrity. Opinion blogger focusing on elections and open government. Served many years as a poll inspector and observer.

Over twenty years experience developing software. This includes project management, requirements analysis, design, implementation, training, human resources, group facilitation, quality assurance, and testing. My current product improves patient care, controls costs. This is a typically complex project, requiring balancing the interests of many stakeholders.

Significant Career Experience: Served as Assistant Secretary of State. Served as Director of the Governor's Urban Affairs and Constitutional Reform Commissions.

Candidate Statement

As your Secretary of State, Sam Reed knows that there is no greater responsibility than ensuring the integrity of our elections. He protected voter privacy, fought for the citizens' right to control their electoral process, preserved and made more accessible our state's historical resources, and made government more responsive, responsible and accessible to the people.

Over the next four years, Sam will use the State Library, State Archives, and State Elections Division to bring you the most comprehensive election information in the country. He will work to preserve and make accessible our history, heritage, genealogy, and culture through innovative technology. He will continue to bring a new level of government transparency and customer service.

"In my first two terms as your Secretary of State, I worked hard to champion the most extensive election reforms since statehood, develop the first Digital Archives in the nation, and save the 155-year old Washington State Library. We have more work to do to restore our faith in democracy, renew trust in government, and preserve our history. I ask for your continued support and for your vote. Together we can continue the effort to build a better Washington!" – Sam Reed

Volunteered for Audubon Society, various environmental causes.

Candidate Statement

The Secretary of State is Washington's Chief Elections Officer.

This person is responsible for protecting the fundamentals of democracy – our ballots and ballot boxes.

I seek your vote, as the incumbent has compromised his duty to Washington voters:

Protect Voter Privacy

The incumbent put a barcode on our ballots. This allows anyone who requests the raw data to track how you voted. This is a gross violation of our voter privacy.

He did this in 25 counties. We fought and stopped him in King County with an ordinance. As Secretary of State, I will ban these barcodes statewide and restore the sanctity of the secret ballot.

Election Integrity

The incumbent approves models of vote counting machines that make it impossible to verify the accuracy of our elections. Many studies have exposed these machines as risky and flawed. Using these machines leaves our democracy at the mercy of vendors like Diebold.

As Secretary of State *and* a technology expert, I will immediately conduct a top-down review of our voting machines, as done in California. I will make the vendors either shape up or ship out!

Washington needs a new Secretary of State – because our elections are too important to risk.

State Treasurer

(Partisan Office, 4-year term)



Allan Martin

(Prefers Republican Party)

Committee to Elect Allan Martin
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Website: www.AllanMartin.org

Biographical Information

Current Occupation/Employer: Assistant State Treasurer

Education: Washington State University, BA in Social Sciences, *magna cum laude*.

Family: Married to Sue Martin. Three adult children.

Significant Career Experience: Allan Martin served as Chelan County Treasurer 1993 – 1998. As Deputy State Treasurer for Debt Management, 1999 to 2007, he implemented two successful programs that lower borrowing costs for Washington communities, oversaw the issuance of \$13 billion in bonds and served as Secretary to the State Finance Committee. Since 1999 he has served on the Washington State Housing Finance Commission. His finance career began as a community banker working with first-time homebuyer programs and builder loans.



Jim McIntire

(Prefers Democratic Party)

Citizens for Jim McIntire
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Biographical Information

Current Occupation/Employer: • State Representative, 46th District; 1998-current • Economist, Navigant Consulting, Inc.; 1999-current • Faculty, UW Evans School of Public Affairs; 1983-current

Education: • PhD, Economics, UW • Master of Public Policy, Univ. Michigan • BA, Macalester

Elected Experience: • State Representative, 46th District; 1998-current

Family: • Three children; graduated Seattle Public Schools

Significant Career Experience: • Chair, Economic and Revenue Forecast Council, 2003-current • Chair, House Finance Committee, 2003-06 • Director, UW Fiscal Policy Center; 1993-98 • Chair, Washington Community Economic Revitalization Board; 1994-98 • Chair, Common Ground (nonprofit housing developer) 1992-98 • Fiscal Policy Advisor, Governor Booth Gardner; 1985-88 • Research Scientist, Battelle; 1983-85

Candidate Statement

As your current Assistant State Treasurer – the Treasurer’s top deputy – I’m honored to receive bipartisan support for State Treasurer. Retiring State Treasurer Mike Murphy, a Democrat, says “*I enthusiastically endorse Allan Martin.*” Other bipartisan endorsements include 45 current and former County Treasurers – Republicans and Democrats – from across the state. These treasurers know that this office – one of the largest banking operations in our state – is too important to sacrifice professional management for partisan politics or on-the-job training.

My experience running the daily operation of the office demonstrates my proven ability to manage and invest your tax dollars prudently and wisely. My professional experience is well balanced – in public office and private industry, and with experience both in Olympia and the local level. I worked in community banking prior to being elected Chelan County Treasurer in 1993. Since joining the State Treasurer in 1998, I implemented innovative and successful programs to provide low-cost borrowing for school districts and local governments. Being State Treasurer is about integrity, expecting excellence, and delivering it.

My wife Sue and I, both lifelong Washingtonians, are now asking for the best endorsement of all: your vote for Allan Martin for State Treasurer. Thank you.

Candidate Statement

The only candidate with private, public, and academic experience, State Representative Jim McIntire brings 30 years of hands-on financial leadership and a needed focus on public accountability to the office of State Treasurer.

The Right Experience:

Chair of the Washington Economic and Revenue Forecast Council, McIntire demands that forecasts be non-partisan and accurate.

McIntire chaired four bi-partisan fiscal committees in the Legislature. As Finance Committee Chair, Jim won audits of spending and tax breaks. He sponsored voter-approved “Rainy Day” fund legislation.

A private-sector economist, McIntire helps businesses and investors succeed.

A 25-year UW faculty member, McIntire teaches graduate students in public administration.

The Right Values:

Voters elect the Treasurer to keep the office accountable. The Treasurer must protect taxpayers and build equity with sound investments, not simply maintain a bureaucracy.

A consistent voice for financial accountability, Jim will reform the office to allow thorough audits and work with the Governor and Legislature on a responsible, long term finance plan.

The Right Choice:

Endorsements: Washington Education Assn, State Labor Council, Credit Union League, NARAL, Washington Technology Industry, 5 Governors, former Treasurer Dan Grimm, Auditor Brian Sonntag, a bi-partisan legislative majority, major county treasurers and assessors, dozens of business and community leaders.

State Auditor

(Partisan Office, 4-year term)



Brian Sonntag

(Prefers Democratic Party)

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Website: www.sonntag2008.com

Biographical Information

Current Occupation/Employer: State Auditor.

Education: University of Puget Sound 1971-1972; Tacoma Community College 1970-71; Certified Government Financial Manager; TCC Distinguished Alumni Award 2007.

Elected Experience: Pierce County Clerk, Pierce County Auditor, State Auditor.

Family: Wife Jann – five sons and three grandchildren. Brian's father, Jack, County Auditor 1948-1969. Brother, Dick, served on Tacoma City Council and Tacoma School Board. Brother, Jack, a teacher, coach, administrator, Tacoma School District.

Significant Career Experience: National Auditors Performance Audit Committee; received Newspaper Publishers' Freedom's Light Award and Municipal League's Warren G. Magnuson Award; board member Washington Coalition for Open Government, United

Way, Boys and Girls Club; YMCA volunteer, youth baseball and basketball coach.

Candidate Statement

"A real champion for Washington's taxpayers. Trust, Independence, Integrity, accountability. That's *Brian*," former Governor Booth Gardner.

Brian defines accountability as "government that is open, accessible, responsive, listens to people and tells them the truth." These are the fundamental issues for this office.

Sonntag received the Newspaper Publisher's "Freedom's Light Award" for making government open and responsive. Fought to advance rights and protections of state employee whistleblowers. Used performance audits to identify \$3.2 billion in cost savings and unnecessary spending, and an additional \$320 million in uncollected state debt.

The News Tribune called *Brian* "a high-profile champion of government openness and accountability." *The Seattle Times* says he "has risen to meet the higher-and-higher expectations he has set for his own office and public agencies. *Sonntag* is a public servant in the truest sense of the term. *Sonntag* deserves re-election."

Sonntag actively engages citizens throughout Washington getting ideas to make government better. *Governing* magazine called this a "one-of-a-kind effort to bring citizens back into the decision-making fold."

Thanks for your overwhelming support in the Primary! Your trust means a lot.

Please hire Brian Sonntag, your State Auditor.



J. Richard (Dick) McEntee

(Prefers Republican Party)
Citizens for Dick McEntee
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Biographical Information

Current Occupation/Employer: Vice President and Government Compliance Officer for Edmonds Investment Advisory firm. Management Consulting Company CEO.

Education: Bachelor of Chemical Engineering, Villanova University. American Management Association and IBM Certificates in Management, Finance and Information Technology.

Elected Experience: Fircrest City Council; Economic Development Corporation of Pierce County; Governor Gardner's Food Processing Advisory Commission; 28th District Leader; University Place Public Safety Commission.

Family: Dick and his late wife Kathy have 6 children and 12 grandchildren. Washington Family of the Year, Knights of Columbus.

Significant Career Experience: Executive, Nalley's Fine Foods; served Nation in US Army; St. Joseph Hospital Trustee; President,

national trade association; President, Human Life; Treasurer, County Republican Party.

Candidate Statement

In their 2000 endorsement, *The Bremerton Sun* wrote, "we found *McEntee's* stand on performance audits more attractive than *Sonntag's*."

Voters passed Initiative 900 in 2005. Now, the Auditor has amassed over \$30 million of our tax dollars—some spent trying to conduct performance audits—sadly, results are a minuscule amount of over \$1 Billion savings available.

Those with lifetimes in politics—the Auditor (and Governor)—know only how to collect and spend money, not earn it as citizens must. Recommendations are hollow without two essential components: (1) a business plan describing elements and organization needed to achieve objectives, (2) an operating plan to carry out the process. Merger and Acquisition professionals like *McEntee* know how to get this done.

Press reports of *Sonntag's* failure to find major fraud should not reflect on capable field auditors; with spiraling auditing costs, it's evidence of his poor leadership—we're spending more, getting less.

Dick is a proven leader in business and shaping public policy. His lifetime of loyal and trusted government, public, church and community service is remarkable. Refreshingly, he will serve faithfully and not campaign for the next election.

Get *truly* transparent and accountable government in *all* offices—Elect *Dick McEntee*.

Attorney General

(Partisan Office, 4-year term)



Rob McKenna

(Prefers Republican Party)

Re-Elect AG Rob McKenna
PO Box 955
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Website: www.robmckenna.org

Biographical Information

Education: Law degree, University of Chicago (member, Law Review). B.A.'s, Economics & International Studies, University of Washington (with Honors; student body president).

Family: Rob and Marilyn, his wife of 22 years, have four children. They make their home in Bellevue and are members of St. Louise Catholic Parish.

Significant Career Experience: Elected as Attorney General in 2004. Elected to three terms on the King County Council. Attorney, Perkins Coie law firm. President-elect, Bellevue Community College Foundation. Volunteer fundraiser, Eastside Domestic Violence Program. Distinguished Eagle Scout; Executive board member, Boy Scouts, Chief Seattle Council.

Candidate Statement

Attorney General Rob McKenna has proven he's a skilled, capable leader who protects Washington's families, children and consumers from 21st Century crime.

As Washington's top cop, McKenna increased state protection of children from sex predators. He clamped down on identity thieves and successfully fought the methamphetamine epidemic.

McKenna wrote the nation's first law allowing facilities where children congregate to ban convicted sex offenders. He also successfully fought for: • more mandatory prison time for sex predators • stricter offender registration and • increased penalties for child pornography possession.

Thanks in large measure to McKenna's Meth Task Force: • *methamphetamine labs are down 90%* vs. 2001 and • *meth's street price has doubled*. His efforts produced new narcotics task forces and more drug treatment. McKenna also focuses on prevention; he has personally spoken to 30,000 students about this extremely dangerous drug.

Since McKenna took office, *Washington has dropped six spots* in ID theft rankings. Thanks to his legislation, consumers can now freeze their credit *before* they become victims of identity theft.

Rob McKenna personally argued and won *two U.S. Supreme Court victories* for Washington voters. Winning the Top Two primary case means the people – not political parties – choose our election system.



John Ladenburg

(Prefers Democratic Party)

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Website: www.ladenburg.org

Biographical Information

Current Occupation/Employer: Pierce County Executive

Education: [1967] Graduated Stadium High School, Tacoma, Washington; [1971] Graduated Gonzaga University, Spokane, Washington, Degree: Political Science B.A. (Honors); [1974] Graduated Gonzaga University, Spokane, Washington, Degree: Juris Doctor

Elected Experience: [1982-1986] Tacoma City Councilman; [1986-2000] Pierce County Prosecuting Attorney; [2001 - Current] Pierce County Executive

Family: The third of 16 children, John Ladenburg was born in Leavenworth, WA. John married his wife, Connie, 39 years ago. John and Connie have five grown children and eight grandchildren.

Significant Career Experience: [1976-1986] Managed own private practice in Tacoma; [1977] Admitted to United States Supreme Court

Candidate Statement

The status quo isn't working: Our state ranks among the worst in consumer fraud, identity theft, predatory lending violations and soaring fuel costs. Our privacy, security, and economy are suffering.

A tough 14-year elected prosecutor, Pierce County Executive John Ladenburg will bring hands-on experience in criminal justice and consumer protection to an office held by someone who has never tried a court case.

WASHINGTON IS THE 2ND WORST STATE IN THE NATION FOR CONSUMER FRAUD AND 9TH WORST FOR IDENTITY THEFT: John will increase enforcement, and improve tracking and sentencing. John's opponent takes large contributions from payday lenders, car dealerships and insurance companies – leading to potential conflicts of interest.

ENVIRONMENTAL PROTECTION: John has a history of defending our air, water, and climate; we need an AG who fights for our quality of life.

SAFEGUARDING KIDS AND SENIORS: Online predators and scam artists prey on the vulnerable. John has actual courtroom experience representing victims and will use his skills to punish those who abuse kids and seniors.

PROTECTING INDIVIDUAL RIGHTS: John will fight efforts to weaken personal and reproductive rights at the state and federal level. The special interests have enough lawyers. John Ladenburg will be OUR Attorney General.

Commissioner of Public Lands (Partisan Office, 4-year term)



Doug Sutherland

(Prefers Republican Party)

Committee to Re-Elect Doug Sutherland
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Website: www.dougsutherland.org

Biographical Information

Current Occupation/Employer: Public Lands Commissioner

Education: B.A. in History, Central Washington University, 2001
“Distinguished Alumni” Award

Elected Experience: Tacoma Mayor, 1982-1990; Pierce County Executive, 1993-2000

Family: Doug and Grace have six grown children and seven grandchildren.

Significant Career Experience: Owner, Tacoma Tent and Awning, 1971-92; Chair, Puget Sound Air Quality Authority, 1982-89; Board member, Tacoma Urban League, 1992-2000; Co-Chair, Commencement Bay Cleanup Action Committee, 1994-95; Co-Chair, Salmon Task Force, 1995-2000; James Ellis Regional Leadership Award, 1999; US County Executive of the Year, 2000; President, Western

States Lands Commissioner Association, 2004-05; Current board member, Mountains to Sound Greenway

Candidate Statement

Doug Sutherland grew up in Eastern Washington working on farms and fighting forest fires as a smokejumper, so taking care of the land comes naturally.

Doug knows how important forest jobs are to rural communities. He replaced outdated forest policies that previously led to massive fires and habitat destruction. Coming from a union household, he stands beside workers, instituting new fitness rules for firefighters – and meeting them himself.

A former small business owner, Doug runs government like a business because good business and environmentally responsible stewardship go hand in hand. He led projects offering wind power to thousands of Washington homes, removing toxins from Puget Sound and encouraging responsible forestry so family forest landowners can leave a legacy for their children.

His sustainable forestry plan is the first to protect old growth, dramatically improve forest health, and open thousands of miles of salmon habitat in forest streams, creating thousands of jobs while improving water quality.

A collaborative approach and diverse background earned Doug support from leaders of both parties like Governor Dan Evans and Democratic House Speaker Brian Ebersole.

Healthy forests, clean water and good jobs are the priorities Doug learned growing up and are his priorities as Lands Commissioner.



Peter J. Goldmark

(Prefers Democratic Party)

Goldmark for Public Lands
Commissioner
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Website: www.votepetergoldmark.com

Biographical Information

Current Occupation/Employer: Wheat and cattle rancher, 35 years; wheat breeder/scientist, 20 years

Education: BA Haverford College 1967; Ph.D. Molecular Biology, UC Berkeley, 1971.

Elected Experience: Two-term Okanogan School Board Member

Family: Together, Peter and his wife Georgia raised their five children on the family ranch. All of his children attended Okanogan High School. Sadly, Georgia succumbed to cancer in 2003. Peter has since remarried and is hopeful that one or more of his children will follow in his footsteps on the ranch.

Significant Career Experience: Former Director of the Washington Department of Agriculture, volunteer wildland firefighter, WSU regent, and Washington State Conservation Farmer of the Year, 1983.

Candidate Statement

A lifelong Eastern Washington rancher, Peter Goldmark will restore integrity to the management of nearly 15 million acres of forest, rangeland and water resources. He will bring a proven conservation ethic—demonstrated on his own land—to maximize productivity and sustainability for jobs, recreation and wildlife.

Renewable Energy; Local Jobs

As a scientist, Peter understands the opportunity to create green jobs and address climate change through investments in wind, biomass conversion, and other energy sources. Peter is committed to reversing Bush Administration policies of dependence on foreign oil and outsourcing of jobs.

Clean Rivers and Puget Sound

Cleaning up Puget Sound and protecting our state’s waters will require commitment. Peter will provide needed leadership to help restore the Puget Sound and protect farms and fish across the state.

Sustainable Management: Protecting the Public

Every year we lose valuable forestland — along with jobs and public access—to sprawl and unsustainable logging practices. Peter will end sweetheart deals that give away public resources to developers and enforce existing rules that limit clear cuts on dangerous slopes. Peter will keep our forests open for hunting, hiking and recreation.

ENDORSED: Washington Education Association, Washington Labor Council, Washington Conservation Voters; and Senators Cantwell and Murray.

Superintendent of Public Instruction

(Nonpartisan Office, 4-year term)



Teresa (Terry) Bergeson

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Biographical Information

Current Occupation/Employer: State Superintendent of Public Instruction

Education: B.A. in English from Emmanuel College, Master’s Degree in Counseling and Guidance from Western Michigan University, Doctorate in Education from the University of Washington.

Significant Career Experience: Dr. Bergeson is a former classroom teacher, school counselor, school district administrator and Executive Director of the Washington State Commission on Student Learning.

Candidate Statement

Dr. Teresa “Terry” Bergeson is a lifelong educator who has stood for students throughout her career. She cares passionately about our children and has courageously challenged the status quo to help students from all walks of life achieve academic excellence in our public schools.

Today Washington schools are accountable, with some of the most rigorous academic standards in the nation. Terry Bergeson led the adoption of these standards and stands firm in supporting and strengthening them.

High standards are working; members of the class of 2008 were the best prepared students in Washington’s history. More than 92% of students met new graduation requirements in reading and writing. Washington leads the nation in SAT and ACT scores. Achievement for students in all ethnic groups has improved significantly. More rigorous and relevant career and technical opportunities are available.

Just as important, Terry’s caring leadership has helped create schools that pay more personal attention to each student. She believes every child will stay in school and meet high expectations with the right kind of support, and she’s helping our schools make that happen.

Vote for Terry Bergeson. Protect Washington’s high standards and help all our children build strong foundations for their future.



Randy Dorn

People for Randy Dorn
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Biographical Information

Current Occupation/Employer: Executive Director, Public School Employees of Washington

Education: M.A. Education, Pacific Lutheran University, 1980; B.A. Education, University of Idaho, 1975

Elected Experience: Seven years in State House of Representatives; Chairman of House Education Committee

Family: Lives in Eatonville with his wife, Kate, a public school librarian. They are the parents of three grown sons, one is a public school teacher, while another is studying to be a teacher.

Significant Career Experience: Elementary and Middle School teacher; Elementary and High School principal; Recipient:
• National Service Award – American Vocational Association

• President’s Award – Association of Washington School Principals • Golden Gavel Award – Washington Association of School Administrators

Candidate Statement

Terry Bergeson has had 12 years to bring reform and change to our schools. Where are we after 12 years? Still studying how to fund basic education. Still arguing about how to implement education reform. *It’s time for a change!*

The Superintendent of Public Instruction needs to be an experienced educator *and* a political leader. Randy Dorn is both.

Randy was an elementary and middle school teacher and, for 10 years, an elementary and high school principal. *Randy Dorn knows the classroom.*

But *Randy Dorn also knows how to get things done in Olympia.* Randy served seven years in the House of Representatives and was Chairman of the Education Committee. Today, he is the Executive Director of Public School Employees of Washington, the state’s second largest educational employee organization.

Randy Dorn will be a forceful advocate for school funding, reminding the legislature it is their paramount duty to fully fund a basic education rather than relying on local levies.

And Randy Dorn will replace the WASL with a testing system that is more fair, more understandable, and takes less time, so testing doesn’t dominate curriculum and the school calendar.

It’s time for Randy Dorn. Leadership...for a change.

Insurance Commissioner (Partisan Office, 4-year term)



Mike Kreidler

(Prefers Democratic Party)

Friends of Mike Kreidler
PO Box 7485
Olympia, WA 98507-7485
Telephone: (360) 704-8313
Email: Mike@MikeKreidler.com
Website: www.mikekreidler.com

Biographical Information

Current Occupation/Employer: Insurance Commissioner, State of Washington

Education: Bachelor of Science, Doctor of Optometry; Pacific University • Masters Degree, Public Health; UCLA

Elected Experience: Mike Kreidler was elected Insurance Commissioner in 2000. He was re-elected in 2004. He also served as a school board member, state representative, state senator, and in the U.S. Congress.

Family: Mike Kreidler and his wife Lela have been married for more than 40 years and have three children and three grandchildren.

Significant Career Experience: Mike worked as an optometrist in the private sector for 20 years. He also owned a successful small

business. Commissioner Kreidler is a retired Lieutenant Colonel in the U.S. Army Reserves.

Candidate Statement

Mike Kreidler is a strong and independent voice who has stood up to powerful interests as the state's top advocate for insurance consumers.

In his first two terms, Mike Kreidler saved consumers more than \$200 million in auto and homeowners' insurance by cutting excessive premium rates proposed by insurance companies.

His free consumer advocacy program helped consumers recover more than \$107 million for policyholders in wrongfully delayed or denied insurance claims.

Mike Kreidler is eager to continue championing and defending the rights of insurance consumers to receive fair treatment at a fair price.

The people of our state deserve affordable health insurance and Mike Kreidler has a specific proposal to cover every Washington resident, preserve choice and reduce costs. His plan will provide peace of mind with a guaranteed level of financial security in the event of a personal health crisis.

Mike Kreidler is a proven leader who has served the people of Washington with dedication, fairness and hard work. That's why he's consistently earned endorsements from consumer, labor, business, retiree, educational, and health care organizations and individuals across our state.

Please join them by retaining Mike Kreidler as your State Insurance Commissioner.



John R. Adams

(Prefers Republican Party)

1715 W Nickerson Street
Seattle, WA 98119
Telephone: (206) 283-0212
Email: adams-seagen@att.net
Website:
johnadams2008.seattlegeneralagency.com

Biographical Information

Current Occupation/Employer: Owner Seattle General Agency

Education: Graduated from University of Washington / BA Business Administration. Many specialty industry schools

Elected Experience: Eight years as director; Lake Washington School Dist. 414

Family: My wife Starr of 39 years, two children and three grandchildren

Significant Career Experience: Hartford Careen program 1970; Marne underwriter 70-75; Broker at Marsh McLennan 75-79; Wholesale Underwriting 79-89; Own independent agency since 1989.

Candidate Statement

Your Insurance Commissioner must be more than an administrator.

The Commissioner should be both an advocate for consumers and a regulator/protector of the insurance industry and possess a good working knowledge of the applicable laws.

Let's face it; one of the reasons for higher insurance costs and fewer options is a lack of consumer choice and resistance to change when change is needed.

Extreme judgments contribute to the rising insurance costs that have driven insurance companies from our state and doctors from their practices. Average families and many businesses cannot afford medical coverage/benefits.

We have all heard "If it isn't broke – don't fix it." It's time to wake up! *The system is broke – it does need fixing – we need a level playing field.*

Let's work for common sense and creative solutions. John is a Viet Nam veteran with very broad life experience and sense of fairness.

Help John Adams bring 38 years of professional experience in the insurance business to the Commissioner's office. Give him a chance to begin to fix a broken system.

Vote John Adams for Insurance Commissioner!!

Legislative District 20

State Senator (Partisan Office, 4-year term)



Dan Swecker

(Prefers Republican Party)

Dan Swecker for Senate
10420 173rd Avenue SW
Rochester, WA 98579
Telephone: (360) 273-5890
Email: dan@danswecker.com
Website: www.danswecker.com

Biographical Information

Current Occupation/Employer: State Senator & Secretary-Treasurer for WA Fish Growers Assoc.

Education: Bachelor of Arts Degree; One year Masters work completed

Elected Experience: Senator 13 years; Fire Commissioner 3 years

Family: Wife Debby (35 years); Four children, two grandsons; Member of Mars Hill Church; Serves on Centralia Christian School Foundation Board

Significant Career Experience: Owned/operated salmon farm for 20 years employing up to 60 people.

Military experience included two tours as helicopter pilot in Viet-Nam; awarded the Bronze Star and the Purple Heart. Flew over 100 combat missions.

Numerous boards including Chairman of the Transportation Permit Efficiency and Accountability Committee for 4.5 years.

Candidate Statement

I sponsored and passed legislation to reduce the growth of property taxes from 6% per year down to 2% or less. This stopped property taxes from doubling every 7-10 years and required a super majority vote or a vote of the people to increase property taxes more than 2%.

My focus hasn't changed. I work for the people that elected me. Flooding in Lewis and Thurston County is my top priority. Working with the federal government is a slow and frustrating process but we are nearing completion. I also initiated work with the Corps of Engineers to reduce flooding in Adna. Other priorities include tax relief, jobs, agriculture and salmon recovery.

As Ranking Republican Member of the Transportation Committee I secured funding to widen the freeway from Maytown to Mellen Street in Centralia. This included expanding the interchange at Grand Mound to accommodate increased growth and modification of the Mellen Street Interchange. Additional funding was secured to widen I-5 from 13th Street in Chehalis to Napavine and to construct a new interchange at LaBree Road to serve the Chehalis Industrial Park.

I feel 15 years younger after my recent surgery! I would appreciate your vote.



Chuck Bojarski

(Prefers Democratic Party)

Chuck Bojarski for State Senate 20th LD
PMB 120, 1121 Harrison Avenue
Centralia, WA 98531
Telephone: (360) 870-3678
Email: cwbojar@msn.com

Biographical Information

Current Occupation/Employer: Retired and an active community volunteer and advocate for human services: • Domestic Violence Prevention • WorkFirst • Lions Club

Education: I enlisted at age 15 due to hard times. • United States Marine Corps, Reserve • United States Navy, Enlisted • G.E.D.

Elected Experience: • Master, Masonic Lodge #65 • Thurston County Democratic PCO • 22nd District State Committeeman • Olympia YMCA, former president

Family: Married 57 years to Chris. Seven children, grandchildren, great-grandchildren.

Significant Career Experience: • Washington State House of Representatives, Security Chief (1985-1992) • 30 years law enforcement experience including: Washington State Patrol,

Trooper; Safety Education Officer; Traveling Licensing Examiner • Puget Sound Naval Shipyard Sheet Metal Worker • AFL-CIO Auto Worker • Congressional Campaign Volunteer.

Candidate Statement

As an active citizen with a long history of public service I'm no stranger to politics. I have friends who are both Republicans and Democrats.

I'm a no nonsense kind of guy. I'm approachable and responsive. I'll listen to your concerns because I understand that every individual living in my district is important.

I believe in people. We need to give our youth a chance to succeed and become self-sufficient starting with increased access to quality education, job skills training, and medical care.

As a former law enforcement officer I think we invest too heavily in jails. Strengthening programs such as drug abuse and domestic violence and victims counseling, can help break the cycle of incarceration.

For older residents we need to expand home health care options so seniors can stay in their homes. As a past member of our armed forces I will work to secure more veterans' benefits so that men and women have help transitioning home.

These elements along with assisting small businesses, creating employment opportunities and keeping more of our hard earned dollars in our community, all lead to a more sustainable environment in which businesses, individuals and families can thrive.

Legislative District 20

State Representative Position 1 (Partisan Office, 2-year term)



Richard DeBolt

(Prefers G.O.P. Party)

The committee to re-elect Richard DeBolt
1673 S Market Boulevard, PMB 159
Chehalis, WA 98532
Telephone: (360) 388-5549
Email: info@Richarddebolt.com
Website: www.richarddebolt.com

Biographical Information

Current Occupation/Employer: Director of U.S. External Relations, TransAlta

Education: University of Wyoming, BA in International Relations; Henry Tolls Fellow, 2001

Family: I live in Chehalis with my wife Amy and two children, Sophie (14) and Austin (11)

Significant Career Experience: Elected to the State House of Representatives (1997-2008); Currently serving as House Republican Leader; President, United Way of Lewis County (2007-2008); former Chamber Director.

Candidate Statement

It is a privilege and an honor to have served as your state representative for the 20th District. From creating jobs to providing assistance to flood victims, my service in the Legislature has always focused on helping families and improving opportunities to live and work in our community. I've never been more proud to represent you as I was when I saw the resilience and generosity of those who helped not only themselves, but their friends and neighbors rebuild their lives after the December flood.

I ask for your vote, together we can build a better Washington.



Mike Rechner

(Prefers Democratic Party)

People for Mike Rechner
7205-A Martin Way E #47
Olympia, WA 98516
Telephone: (360) 704-0233
Email: mike@mikerechner.com
Website: www.mikerechner.com

Biographical Information

Current Occupation/Employer: Supervisor and Policy Analyst, Washington Department of Natural Resources.

Education: Bachelor of Science degree from Pennsylvania State University and a Masters Degree from The Evergreen State College.

Elected Experience: Former Park Commissioner for the Tanglewilde Parks and Recreation District.

Family: Married to Kim Rechner, a Registered Nurse, for 17 years with two sons, 4 and 6.

Significant Career Experience: 11 years as an officer and C-141B Examiner Navigator in the U.S. Air Force, including service in the first Persian Gulf War, flying missions worldwide in support of combat and humanitarian relief missions.

Candidate Statement

It's time for a change – time for new leadership in Olympia. After years of service, our representative now puts party politics ahead of the needs of our community. I will stand up for middle-class families: working to bring new jobs to our region, fighting for quality schools, lowering the cost of healthcare and prescription drugs, and making government more accountable with our tax dollars.

As an 11-year Air Force veteran, supporter of Second Amendment rights, VFW member, park commissioner, and proud husband and father, I am committed to making government work better by listening at home and leading in Olympia.

Legislative District 20

State Representative Position 2 (Partisan Office, 2-year term)



Gary C. Alexander

(Prefers G.O.P. Party)

Alexander for State Representative
PO Box 48
Olympia, WA 98507
Telephone: (360) 754-4543
Email: alexandergary@comcast.net
Website: www.gary-alexander.com

Biographical Information

Current Occupation/Employer: Deputy Auditor of Finance for Thurston County.

Education: Bachelor's Degree in business from the University of Washington and a Master's Degree from Pacific Lutheran University in business and finance.

Elected Experience: Elected to the State House of Representatives in 1996 to present. Previously served as an Olympia Port Commissioner from 1993 to 1996.

Family: Gary and his wife, Donna, live with their two small dogs Bridgett and Molly. Gary has two grown daughters, Kerry and Kristin.

Significant Career Experience: Gary spent 10 years as an Industrial Engineering Consultant and Financial Manager in private industry and 25 years as a State and Local Government Budget and Program Manager.

Candidate Statement

Representative Gary Alexander is seeking re-election to the state legislature to support the citizens of Thurston and Lewis counties. As the ranking Republican on the powerful Appropriations Committee and Deputy Auditor of Finance for Thurston County, Representative Alexander has extensive leadership, budget, and policy-making experience.

My legislative goals are: • Create a sustainable budget with no new taxes • Create family-wage jobs in our local communities • Provide long-term flood relief • Offer dual career paths that inspire our children to learn and succeed • Rebuild our health care system and provide affordable choices.

I ask for your vote.



Jim Cutler

(Prefers Democratic Party)

Elect Jim Cutler Campaign Committee
PO Box 818
Tenino, WA 98589
Telephone: (360) 870-7437
Email: electjimcutler@gmail.com
Website: www.Jim-Cutler.com

Biographical Information

Current Occupation/Employer: Retired Teacher

Education: BA degree in Education - Idaho State University; MA degree in Education - San Diego State University

Elected Experience: Elected to several teacher union positions.

Family: Married to high school sweetheart, Carol, for 44 years. Three wonderful children and two exceptional grandchildren.

Significant Career Experience: 41 years as a Public School Educator.

Candidate Statement

As your legislator I will work to maintain fiscal discipline while not losing sight of what matters most – the needs of the people. Judging by our struggling schools, rising cost of health care, and shaky economy, I'd say our needs are not being met. We deserve better. That's why it's time for change.

To create lasting change, we must work together – and electing a proactive Representative is critical. Throughout my 41-year teaching career I've been driven to make a difference. You'll see me in your community with my sleeves rolled up working to make a difference in your life.

What judicial candidates can say

Two types of information are shown for each judicial candidate listed in this pamphlet:

1. A brief biography, supplied by the candidate, which includes the candidate's background and professional experience.
2. A brief, unedited statement, written by the candidate, about why you should vote for that individual.

Candidates' statements are governed by Canon 7 of Washington's Code of Judicial Conduct. The Code bars judicial candidates from making statements that appear to commit them on legal issues likely to come before them in court. The Canon also specifies that a candidate may not make misleading or untruthful statements.

How we select judges in Washington State

Nonpartisan Election: Originally, judges in Washington State were elected in partisan elections. This was changed in 1912 and since that time judges have been selected by nonpartisan election.

Appointment: When a justice of the Washington State Supreme Court or a judge of the state Court of Appeals or a superior court resigns or dies during a term of office, the Governor appoints a new judge to fill that position. The appointed judge must run in the next election.

All judges who complete their terms and wish to serve another must stand for a nonpartisan election.

The importance of primary elections

Candidates for the Supreme Court, Court of Appeals, and Superior Courts who are unopposed or who receive more than half of the votes in a primary election are thereby elected to the position. But if there are three or more candidates, and no one wins more than half the votes cast, the two with the most votes must face each other in the November general election.

Supreme Court (The successful candidate may be determined in the primary): The state's "court of last resort," the Supreme Court hears appeals from the Court of Appeals and other lower courts. Through its rule-making authority, it also administers the state court system.

Three of the court's nine justices come up for election every two years. Justices serve six-year staggered terms.

Court of Appeals (The successful candidate may be determined in the primary): The Court of Appeals hears most of the appeals that come up from the county-level superior courts. A total of 22 judges serve the court in three, multi-county divisions headquartered in Seattle, Tacoma and Spokane. Candidates run in one of three county groupings, or districts, within each division. Only voters registered within their districts can vote for them. Judges serve staggered, six-year terms.

Superior Court (The successful candidate may be determined in the primary): Superior courts are the state's courts of general jurisdiction. They hear felony criminal cases, civil matters, dissolutions (divorces), juvenile cases, and appeals from courts of limited jurisdiction. They are organized by county into 32 judicial districts. Candidates run in the county or counties within their district, and only voters within that district can cast ballots for them. Judges serve four-year terms.

Supreme Court Justice Position 3 (Nonpartisan Office, 6-year term)



Mary Fairhurst

Re-Elect Justice Mary Fairhurst
6963 Littlerock Road SW
Tumwater, WA 98512
Telephone: (206) 898-9841
Email: info@justicemaryfairhurst.com
Website: www.JusticeMaryFairhurst.com

Biographical Information

Current Occupation/Employer: Supreme Court Justice

Education: Law degree with high honors in 1984; BA with honors in Political Science in 1979, both from Gonzaga University.

Legal/Judicial Experience: Supreme Court Justice, 6 years; Washington Attorney General's Office, 16 years, specializing in revenue, transportation, criminal justice and personnel; Supreme Court judicial clerk, 2 years. Admitted to the Washington State Bar Association in 1984.

Family: Oldest of 7, Aunt of 13, Godmother of many.

Significant Career Experience: Judicial Information System Committee, Chair; Board for Judicial Administration Public Trust and Confidence Committee, Chair; Council on Public

Legal Education, member; Washington State Bar Association, President and Board of Governors; Washington Women Lawyers, President.

Candidate Statement

Since you elected me to our Supreme Court six years ago, I have worked to improve our justice system, to make our courts efficient and responsive, to ensure access to justice for all, and to protect the rights of every person in Washington State.

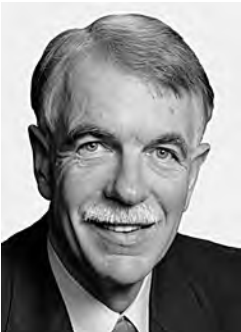
I was raised in a loving family which placed great value on fairness, service and the dignity of every man, woman and child.

Every day I go to work aware that my decisions affect thousands of lives. Since joining the court I have decided over 600 cases. To every case I have brought an open mind, fairness, common sense and a commitment to uphold our Constitution.

We are a diverse people united by a common law and Constitution. As a Justice, I am obligated not to any group, but to respect the rule of law and uphold our Constitution. I am dedicated to ensuring that we have a legal system that treats people fairly, equally and protects the rights of everyone.

Endorsed by Washington State Troopers Association, Washington State Council of Firefighters, Washington Federation of Teachers, Washington State Labor Council, Washington Conservation Voters, Women's Political Caucus, Justices, Judges, attorneys, community leaders, and people throughout Washington.

Position 4 (Nonpartisan Office, 6-year term)



Charles W. Johnson

Committee to Re-elect Justice Johnson
1110 Capitol Way Ste 225
Olympia, WA 98501
Telephone: (253) 572-4500
Email: Johnsonj08@comcast.net
Website: www.justicecharlesjohnson.com

Biographical Information

Current Occupation/Employer: Associate Chief Justice, Washington State Supreme Court

Education: Seattle University School of Law, J.D. 1976, University of Washington, B.A. 1974, Curtis High School, Tacoma.

Legal/Judicial Experience: Justice Charles Johnson, the most senior member of the Washington State Supreme Court, has spent 18 years protecting individual rights, balancing the scales of justice for those less privileged, and improving court efficiency. For 12 years he has taught the Washington State Constitution at Seattle University School of Law. Before joining the State Supreme Court, Justice Johnson worked 14 years as a lawyer helping people with every-day needs.

Candidate Statement

Justice Charles Johnson has proven he understands and protects our rights and freedoms. For 18 years, his record shows his commitment to protecting privacy rights and holding government accountable, coupled with his courage and ability to decide the difficult issues the Court faces.

Evaluated by lawyers groups, Justice Johnson rates "exceptionally well qualified." His fairness, intellect, common sense and impartiality are reflected by groups supporting his re-election, including: Washington State Labor Council, Association of Washington Business, Joint Council of Firefighters, American Federation of Teachers, Washington Conservation Voters, Washington State Young Democrats, Mainstream Republicans of Washington, Joint Council of Teamsters, and Rental Housing Association of Puget Sound.

The American Bar Association Council on Racial and Ethnic Fairness has recognized Justice Johnson's efforts to improve justice for all persons.

We need Supreme Court Justices like Justice Charles Johnson, with proven experience, intelligence, integrity, fairness and impartiality. Hard work and difficult challenges underscore his entire life. He worked as a laborer to pay for his education and understands the value of our time and money.

A lifetime Washington resident, Justice Johnson and his wife, Dana, live in Gig Harbor.

For more information please visit www.justicecharlesjohnson.com.

Supreme Court Justice

Position 7 (Nonpartisan Office, 6-year short & full term)



Debra L. Stephens

Citizens to Retain Justice Debra Stephens
PO Box 2734
Seattle, WA 98111
Telephone: (206) 898-9841
Email: info@JusticeDebraStephens.com
Website: www.JusticeDebraStephens.com

director from 1996-2007. Former community college instructor and Assistant Dean of Admissions at Gonzaga.

Candidate Statement

The first woman from Eastern Washington to serve on the State Supreme Court, Justice Debra Stephens brings unique experience as an attorney, constitutional law scholar, and Appeals Court judge to the bench. Rated “Exceptionally Well Qualified” by five separate Bar Associations, she is committed to protecting the rights and liberties of all Washingtonians.

Justice Stephens raised her family in Spokane while maintaining a law practice specializing in serving victims of crimes and their families.

On the Supreme Court, Justice Stephens is committed to upholding and respecting our laws and constitution free from bias, with a firm commitment to our shared values. Justice Stephens believes firmly that the law should be grounded in common sense, and address the needs of real people.

Active in her church and community, former chair of her local school board and a volunteer mentor to young women, Justice Debra Stephens brings real-world perspective and outstanding legal qualifications to the Supreme Court.

Endorsers include former Justices Richard Guy and Faith Ireland, dozens more former and current judges; Washington State Patrol Troopers, State Labor Council, State Council of Firefighters, business leaders, teachers, Conservation Voters, legal peers, community leaders, and both Republicans and Democrats throughout Washington.

Biographical Information

Current Occupation/Employer: Justice, Washington Supreme Court

Education: B.A. and J.D., Gonzaga University; West Valley High, Spokane.

Legal/Judicial Experience: Extensive trial and appellate practice on both sides of Washington, including 120+ appearances before the Washington Supreme Court. Author and speaker at 100+ legal seminars. Appointed, then elected to Division Three of the Court of Appeals before joining the Supreme Court.

Family: Married 19 years to Craig Stephens; two children.

Significant Career Experience: Adjunct Professor at Gonzaga Law School since 1995, teaching state and federal Constitutional Law, Community Property and Appellate Advocacy. School board

Lewis Superior Court

The following candidate did not submit a statement for publication:

Judge Position 1 (Nonpartisan Office, 4-year term)

Nelson E. Hunt

Lewis Superior Court Judge Position 2 (Nonpartisan Office, 4-year term)



Jim Lawler

People for Jim Lawler
1673 S Market Boulevard #81
Chehalis, WA 98532
Telephone: (360) 269-6218
Email: lawlerje@gmail.com

Biographical Information

Current Occupation/Employer: Lewis County Superior Court Judge

Education: Washington State University (BS Agricultural Economics 1979); Willamette University School of Law (JD 1982)

Legal/Judicial Experience: 25 years in private practice before being elected to the bench in 2007.

Family: 51 years old. Married with three sons.

Significant Career Experience: Prior to taking the bench, I had a practice that included significant felony criminal defense, family law and estate planning.

Candidate Statement

I appreciate the confidence of the voters who elected me last year to fill the remaining year of Judge Hall's term. I have completed the Washington State Judicial College together with other continuing judicial education. My broad background in private practice together with my ongoing education qualify me to continue as your Superior Court Judge. I appreciate your past support and would appreciate your vote this year.

Judge Position 3 (Nonpartisan Office, 4-year term)



Richard L. Brosey

The Committee to Re-Elect Judge
Richard Brosey
103 Fir Drive
Chehalis, WA 98532-9616
Telephone: (360) 748-8286
Email: broseys@msn.com

Biographical Information

Current Occupation/Employer: Judge, Lewis County Superior Court.

Education: Winlock H.S. (1967), University of Washington (B.A., Economics) 1971, Gonzaga Law School (Juris Doctoris) 1974, National Judicial College 2000.

Legal/Judicial Experience: Private practice 1974 – 1993. Municipal Court Judge, City of Chehalis, 1992-1997. Lewis County Superior Court Commissioner 1994-1998, Superior Court Judge, Department 3, 1998 to present.

Family: 59 years old, married, three grown children, two grandchildren, excellent health, life-long resident of Lewis County.

Significant Career Experience: Attorney, City of Toledo, 1975-1993; family law, civil law, real estate, criminal defense including substantial felony casework 1974-1993.

Candidate Statement

I look forward to the challenge of another four-year term. My substantial experience in handling all types of civil and criminal law matters, first as an attorney and then as a judicial officer, makes me highly qualified to continue to serve as a judge who strives to listen to the facts, apply the law, and to be fair. It is important for Lewis County to have someone with experience in this important position; and to maintain continuity in the Lewis County Superior Court. I would appreciate your vote.

Register to Vote

www.vote.wa.gov

Choose one of these easy options:

Online

Go to www.vote.wa.gov to register online up to 30 days before an election. It's fast, easy and secure. All you need is a Washington State ID or driver's license.

By Mail

Forms are available to download and print on the Internet at www.vote.wa.gov or at your county elections department, public libraries, schools, and other government offices. Mail your form at least 30 days before an election.

In Person

If you are a new voter in Washington State, you may register in person up to 15 days before an election at your county elections department. Contact information for your county elections department is located in the back of this pamphlet.



Say what?

Be smart. [Know your election terms.]

Primary

A process by which a pool of candidates for public office is reduced to the top contenders. In Washington State, the statewide Primary occurs on the third Tuesday of August.

Top 2 Primary

A type of Primary in which the two candidates who receive the most votes in a race advance to the General Election, regardless of the candidates' stated party preferences. This primary system has been used in nonpartisan races by local governments in Washington State, but August 19, 2008 was the state's first time using the Top 2 Primary in partisan races.

Candidate

Any voter registered in Washington State may run as a candidate for public office. Each candidate for partisan office may state a political party that he or she prefers.

Party preference

A candidate's stated preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.

Nominee

A candidate who has been chosen to represent a party. Nominees will not be differentiated from other candidates on the ballot.

Endorsement

A public declaration of support for a candidate.

Partisan office

A public office for which a candidate may state a preference for a political party and have that preference listed on the ballot.

General Election

The General Election determines which remaining candidates will be voted into office. In the United States, Election Day is the first Tuesday after the first Monday of November. The next General Election will be **November 4, 2008.**



Electoral College

Washington State & the Electoral College

The Electoral College was established by the Founding Fathers as a compromise between election of the President by Congress and election by popular vote.

When you vote for President, you're also choosing a slate of electors to represent Washington State in the Electoral College.

Typically, electors are citizens nominated in recognition of service and dedication to their political party. The U.S. Constitution stipulates that an elector cannot be a "person holding an office of trust under the United States."

Washington State is one of 48 states that use a "winner-take-all" system; the candidate who wins the most popular votes in the state will get all of Washington's electoral votes.

Washington State has 11 electoral votes. Electoral votes are allocated based on the 2000 Census.



A candidate must win 270 of the 538 total electoral votes to become President. If no candidate receives a majority of electoral votes, the U.S. House of Representatives elects the President and the U.S. Senate elects the Vice President.

The Magic Number =
270

The Electoral College is administered by the National Archives and Records Administration (NARA). You can learn more at www.archives.gov.

Get the Picture

Take a look at these Washington State election trends.
Be a part of the picture... vote!

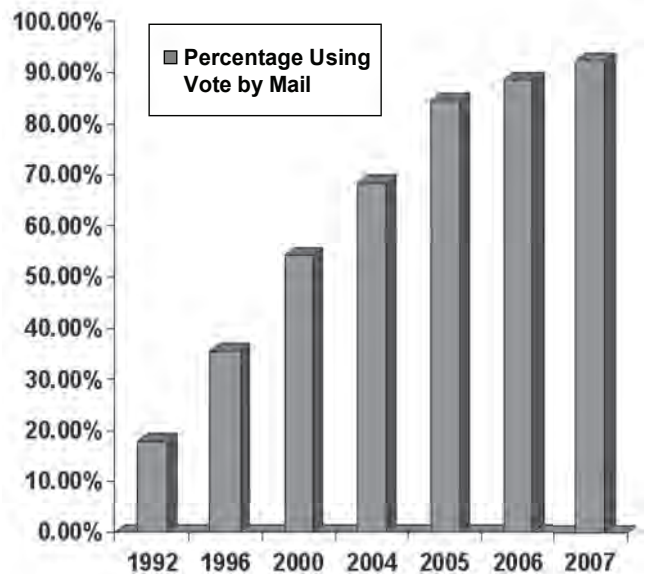


Washington's Presidential Elections

| Year | Wash. Voter Turnout | Winner of Washington State's Presidential Election |
|------|---------------------|--|
| 1956 | 80.2% | Eisenhower* |
| 1960 | 82.4% | Nixon |
| 1964 | 80.7% | Johnson* |
| 1968 | 79.5% | Humphrey |
| 1972 | 77.0% | Nixon* |
| 1976 | 76.7% | Ford |
| 1980 | 77.0% | Reagan* |
| 1984 | 78.6% | Reagan* |
| 1988 | 76.9% | Dukakis |
| 1992 | 82.6% | Clinton* |
| 1996 | 74.5% | Clinton* |
| 2000 | 75.5% | Gore |
| 2004 | 82.2% | Kerry |

* Winner of the U.S. Presidential Election

Vote by Mail in Washington State



Washington Youth Voter Trends

| Event | Year | # of Registered Voters Ages 18-24 | Turnout Among Registered Voters Ages 18-24 |
|-------------------------|-------------|---|--|
| General Election | 2000 | 325,237 | 48.1% |
| General Election | 2004 | 363,660 | 67.1% |
| General Election | 2008 | Youth voters make a difference. You can help make history in 2008. | |



Statistics provided by the Office of the Secretary of State.

County Elections Department Information

These numbers require special telephone equipment to operate.

| COUNTY ELECTIONS DEPARTMENT | MAILING ADDRESS | CITY | ZIP | TELEPHONE NUMBER | TDD/TTY SERVICE ONLY for the speech or hearing impaired. |
|-----------------------------|-----------------------------------|---------------|------------|--|--|
| Adams | 210 W Broadway, Ste 200 | Ritzville | 99169 | (509) 659-3249 | (509) 659-1122 |
| Asotin | PO Box 129 | Asotin | 99402 | (509) 243-2084 | (800) 855-1155 |
| Benton | PO Box 470 | Prosser | 99350 | (509) 736-3085 | (800) 833-6388 |
| Chelan | PO Box 400 | Wenatchee | 98807 | (509) 667-6808 | (800) 833-6388 |
| Clallam | 223 E Fourth St, Ste 1 | Port Angeles | 98362 | (360) 417-2221 Toll-free (866) 433-VOTE | (800) 833-6388 |
| Clark | PO Box 8815 | Vancouver | 98666-8815 | (360) 397-2345 | (800) 223-3131 |
| Columbia | 341 E Main St | Dayton | 99328-1361 | (509) 382-4541 | (800) 833-6388 |
| Cowlitz | 207 N Fourth Ave, Rm 107 | Kelso | 98626 | (360) 577-3005 | (360) 577-3061 |
| Douglas | 213 S Rainier St, PO Box 456 | Waterville | 98858 | (509) 745-8527 | (509) 745-8527, Ext 207 |
| Ferry | 350 E Delaware Ave #2 | Republic | 99166 | (509) 775-5200 | (800) 833-6388 |
| Franklin | PO Box 1451 | Pasco | 99301 | (509) 545-3538 | (800) 833-6388 |
| Garfield | PO Box 278 | Pomeroy | 99347 | (509) 843-1411 | (800) 833-6388 |
| Grant | PO Box 37 | Ephrata | 98823 | (509) 754-2011 Ext 343 | (800) 833-6388 |
| Grays Harbor | 100 W Broadway, Ste 2 | Montesano | 98563 | (360) 249-4232 | (360) 249-6575 |
| Island | PO Box 1410 | Coupeville | 98239 | (360) 679-7366 | (360) 679-7305 |
| Jefferson | PO Box 563 | Port Townsend | 98368 | (360) 385-9119 | (800) 833-6388 |
| King | 919 SW Grady Way | Renton | 98057 | (206) 296-8683 | (206) 296-0109 |
| Kitsap | 614 Division St | Port Orchard | 98366 | (360) 337-7128 | (800) 833-6388 |
| Kittitas | 205 W Fifth Ave, Ste 105 | Ellensburg | 98926 | (509) 962-7503 | (800) 833-6388 |
| Klickitat | 205 S Columbus Ave, Stop 2 | Goldendale | 98620 | (509) 773-4001 | (800) 833-6388 |
| Lewis | PO Box 29 | Chehalis | 98532-0029 | (360) 740-1278 | (360) 740-1480 |
| Lincoln | PO Box 28 | Davenport | 99122 | (509) 725-4971 | (800) 833-6388 |
| Mason | PO Box 400 | Shelton | 98584 | (360) 427-9670 Ext 470 | (800) 833-6388 |
| Okanogan | PO Box 1010 | Okanogan | 98840 | (509) 422-7240 | (800) 833-6388 |
| Pacific | PO Box 97 | South Bend | 98586-0097 | (360) 875-9317 | (360) 875-9400 |
| Pend Oreille | PO Box 5015 | Newport | 99156 | (509) 447-6472 | (509) 447-3186 |
| Pierce | 2501 S 35 th St, Ste C | Tacoma | 98409 | (253) 798-VOTE (8683) | (800) 833-6388 |
| San Juan | PO Box 638 | Friday Harbor | 98250 | (360) 378-3357 | (360) 378-4151 |
| Skagit | 700 S Second St/PO Box 1306 | Mount Vernon | 98273 | (360) 336-9305 | (360) 336-9332 |
| Skamania | PO Box 790 | Stevenson | 98648 | (509) 427-3730 | (800) 833-6388 |
| Snohomish | 3000 Rockefeller Ave MS 505 | Everett | 98201 | (425) 388-3444 | (425) 388-3700 |
| Spokane | 1033 W Gardner Ave | Spokane | 99260 | (509) 477-2320 | (509) 477-2333 |
| Stevens | 215 S Oak St, Rm 106 | Colville | 99114 | (509) 684-7514 Toll-free (866) 307-9060 | (800) 833-6384 |
| Thurston | 2000 Lakeridge Dr SW | Olympia | 98502 | (360) 786-5408 | (360) 754-2933 |
| Wahkiakum | PO Box 543 | Cathlamet | 98612 | (360) 795-3219 | (800) 833-6388 |
| Walla Walla | PO Box 1856/315 W Main St | Walla Walla | 99362 | (509) 524-2530 | (800) 833-6388 |
| Whatcom | 311 Grand Ave, Ste 103 | Bellingham | 98225 | (360) 676-6742 | (360) 738-4555 |
| Whitman | N 400 Main St | Colfax | 99111 | (509) 648-6353 | (800) 833-6388 |
| Yakima | 128 N Second St, Rm 117 | Yakima | 98901 | (509) 574-1340 | (800) 833-6388 |

➤ Attention speech or hearing impaired Telecommunications Device for the Deaf users: If you are using an “800 number” from the list above for TDD/TTY service, you must be prepared to give the relay service operator the telephone number for your county elections department.

Voter Participation in Presidential Election Campaigns

Those who wish to participate in the presidential election campaign process may contact the candidate or party of his or her choice for more information. Listed below are the political parties with candidates for president on the general election ballot.

Washington State Democratic Central Committee

615 Second Avenue, Ste 580
Seattle, WA 98194
(206) 583-0664
info@wa-democrats.org
www.wa-democrats.org

Washington State Republican Party

2840 Northup Way, Ste 140
Bellevue, WA 98004
(425) 460-0570
comments@wsrp.org
www.wsrp.org

Party for Socialism & Liberation

1122 E Pike #1289
Seattle, WA 98122
(206) 367-3820
seattle@votepl.org
pslweb.org

Socialist Workers Party

5418 Rainier Avenue S
Seattle, WA 98118
(206) 323-1755
seattleswp@speakeasy.net
themilitant.com

Libertarian Party of Washington State

10522 Lake City Way NE, Ste C103
Seattle, WA 98125
(206) 571-1946
officemanager@lpwa.org
www.lpwa.org/voter

Constitution Party of Washington

10605 SE 240th Street, PMB 135
Kent, WA 98031
(253) 854-6524
contactus@constitutionpartyofwa.com
www.constitutionpartyofwa.com

Green Party of Washington State

GPoWS State Office
PO Box 70515
Seattle, WA 98127
(360) 875-0205 or (206) 781-3848
wagreens@gmail.com
www.wagreens.us

Many of Washington's counties now conduct all elections by mail. If you are a registered voter in a county that votes by mail, you will automatically be sent a ballot. King and Pierce counties continue to use poll sites in addition to mail to conduct elections.

Absentee Ballot Application

If you have requested an absentee ballot or have a permanent request for an absentee ballot on file, please do not submit another application.

To be filled out by applicant. Please print in ink.

Registered Name: _____

Street Address: _____

City: _____ ZIP: _____

Telephone: (Day) _____ (Evening) _____

For identification purposes only (optional): Voter registration number, if known: _____

Birth Date: _____ Have you recently registered to vote? Yes No

I hereby declare that I am a registered voter.

Date _____

Signature _____

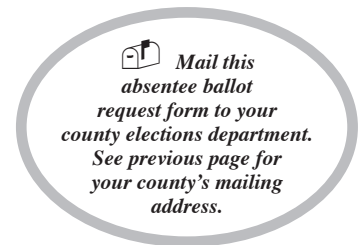
To be valid, your signature must be included.

Send my ballot to the following address (if different from above):

Mailing Address: _____

City: _____ State: _____

ZIP: _____ Country: _____



This application is for:

General Election only

November 4, 2008

Permanent Request

All future elections

For office use only

Precinct Code: _____

Levy Code: _____

Ballot Code: _____

Ballot Mailed: _____



Secretary of State Sam Reed
 Legislative Building
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STATE OF WASHINGTON

VOTERS' PAMPHLET

November 4, 2008 General Election

Washington has a new election system. In each race for partisan office, the two candidates who received the most votes in the August Primary advanced to the November General Election. It is possible that the two candidates in a race will prefer the same party.

Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate. The election for President and Vice President is different. Those candidates are the official nominees of their political parties.



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Lewis County