



March 19, 2007

Hello, Friends!

We've just completed the 10th week of the 15-week 2007 Legislative Session here in Olympia, and a lot has happened in the past week. It was the final week for us to vote on most bills from the Senate before we start hearing testimony on House bills that passed. The cutoff was Wednesday at 5 p.m. and we expected to go right up until then.

About two hours before cutoff, one of my colleagues made a motion to go to the "9th Order," which means bills that didn't make it through committee and were considered dead could be "resurrected" and voted on. We got set to take another vote on the school levy bill, when the majority party suddenly called for an emergency caucus meeting. After a short time, they came back to the Senate floor, only to adjourn for the day several hours before cutoff.

Fortunately, I was able to get several of my bills passed before the sudden ending, including my **prison and supervision reform bill (SB 5070)**, my bill to **protect foster parents (SB 5321)** and my **eminent domain notification bill (SB 5444)**. It just goes to show that you never know what to expect during Senate floor debate!

I hope these weekly e-mail updates are helping to keep you informed on some of the bills and issues we're facing in the Senate this year, and ***thanks for taking the time to read this.***

Please don't hesitate to contact me with any questions, comments or concerns, and as always, if you're ever in Olympia, feel free to drop by my office to say hello.

Keeping serious violent offenders where they belong

During floor debate last week, the Senate considered Senate Bill 5342. On the surface, this bill claimed to offer drug abuse treatment to more offenders. But as I looked closer at the bill's language, I noticed that **it would allow serious violent offenders to be released into our communities** to attend drug treatment. These are offenders who have been previously convicted of murder, rape of a child, armed robbery, and other serious violent offenses, but are

currently under community supervision. Current law requires them to undergo drug treatment in prison.

When I stood up to point out the types of people that this bill would have allowed to stay in the community for drug treatment, the bill's sponsor denied it! After further debate and a closer examination of the bill's language, **the bill's sponsor reluctantly admitted that yes, it would allow rapists, murderers and thieves to be released into Pierce and other counties.** Offenders already receive drug treatment cost-free in prison. Then he proceeded to try and justify why that made the bill even better!

My colleagues in the Senate weren't fooled. SB 5342 was put on the backburner and it never made it past cutoff. One senator called it a "near miss," and *I'm happy to have helped defeat a bill that would have jeopardized the safety of people in my district.*

Keeping the three-strikes law tough

Another bad bill that I was able to change was [Senate Bill 5964](#). This has to do with Washington's "three-strikes" law, which requires persistent offenders who are convicted three times of an array of certain crimes to be sentenced to life in prison. **SB 5964 would have removed some of the qualifying crimes from the list of three-strikes eligible offenses.** Those qualifying crimes are second degree assault and second degree robbery, and the bill report claims that these are "relatively minor crimes."

The truth is that **second degree assault is NOT a minor crime.** Crimes that are considered second degree assault include inflicting substantial bodily harm, assault with a deadly weapon, causing another person to take poison or any other destructive or noxious substance, and knowingly inflicting bodily harm which by design causes such pain or agony as to be the equivalent of that produced by torture. ***Do those sound like "relatively minor crimes" to you?***

I offered an amendment to this bill that changed the bill into a study, to examine the current list of crimes that make a person eligible for the three-strikes penalty. It is far better to study this issue, than the original intent of the bill, which could have let more repeat offenders out of prison and into our streets. With my amendment, the bill passed 48-0. **Even members of the bill sponsor's party realized that studying the issue was a much better alternative.**

A dangerous regional transportation commission bill

The Senate passed a bill last Monday that would **authorize the creation of a regional transportation commission (RTC) for King, Pierce and Snohomish counties.** The RTC would be responsible for a broad array of transportation

projects, including highway and public transportation, to be submitted to regional voters.

The RTC would be authorized to create funding through new taxes, such as:

- **Sales tax of up to 1%**
- **Motor vehicle excise tax of up to .8%**
- **Up to \$100 vehicle license renewal fee**
- **Parking tax**
- **Gas tax**
- **\$2 per month employee tax**
- **Vehicle tolls**
- **User fees**

[Senate Bill 5803](#) gives the RTC the power to increase or create all these taxes, but one line in the bill really concerned me. All these new taxes would require voter approval, **except for tolls, fares and user fees**. I asked nonpartisan staff if that could be interpreted to include a “mileage tax,” and they agreed that it could.

So I introduced an amendment that would have prevented the proposed RTC from implementing a mileage tax. To track the mileage a car travels in order to tax, the owner would be required to place a transponder in his or her vehicle. This is a dangerous new tax method that should be brought your attention. Once every vehicle has a transponder, the government will be able to track the location and movement of our cars. **I believe they will use this to tax you the instant you start your car and move it.**

I proposed my amendment during floor debate because the government keeping tabs on the travel and location of its citizens is something that citizens should know. The prime sponsor of the bill admitted in essence that a mileage tax was necessary to fund the RTC projects of over \$62 billion. He said if they passed my amendment preventing a mileage tax, they would instead have to implement a new massive gas tax to pay for all the projects they want.

I believe that once they start tracking the cars inside the RTC's district, it's only a matter of time before they go statewide. They're already doing this for commuters who use the Tacoma Narrows Bridge, and they can easily imbed in the roads the tracking system network. **Once this bill is law, the sky's the limit.**

Unfortunately, my amendment was not adopted and the bill passed the Senate and is now in the House of Representatives. I will continue to fight to protect the privacy and money of Pierce County residents.

In Closing

Thanks again for taking the time to read my e-mail update. I'll be sending you more updates as the session progresses. As always, feel free to contact me here in Olympia. My office address is 109A Irv Newhouse Building, P.O. Box 40428, Olympia, WA 98504-0428. My phone number is (360) 786-7395 and my home phone number is (253) 581-2859. And you can always send me an e-mail at Carrell.Mike@leg.wa.gov. ***I look forward to hearing from you soon!***

Sincerely,

A handwritten signature in black ink that reads "Mike". The letters are cursive and fluid, with a small dot above the 'i'.

Mike Carrell
28th District State Senator