

June 28, 2016

Senator Cyrus Habib  
230 John A. Cherberg Building  
P.O. Box 40448  
Olympia, WA 98504-0448

Dear Senator Habib:

I am writing to you today because I am concerned about the direction of your campaign for Lieutenant Governor. Over the course of the last few months I have watched from afar the campaigns you and others have run for the Lieutenant Governor's office. Quite frankly, I am disappointed with many of the statements, promises and commitments that you have made which I feel will be impossible to keep and are in fact not within the scope of the job. With your very limited experience in the House and Senate, these declarations demonstrate your youthful inexperience and lack of familiarity with the duties of the office you are seeking.

The first and most irresponsible and unconstitutional statement that you have made is that you will not sign a budget bill that does not fulfill what you believe is the direction given by the Supreme Court to the legislature in the McCleary decision. That is a great statement to make in order to get the endorsement of the Washington Education Association and it worked for you. However, the Lieutenant Governor does not have nor was ever expected to have veto power over the legislature. If you wish to veto legislation, perhaps you should run for Governor.

It is true the Lieutenant Governor, as President of the Senate, does sign all of the bills, but it is a ministerial duty and confirms that a bill has passed the Senate. Moreover, at the State Labor Council Forum, when asked if the President of the Senate has the power to veto bills you answered "no," quite contrary to your rhetoric. If in fact you attempt to hold the legislature hostage by refusing to sign a bill that has passed the Senate, the sad and unfortunate effect of the action would be to cause rancor and political mistrust within the body where for years both Democratic and Republican Lieutenant Governors have made concerted efforts to use the position in a fair, nonpartisan and impartial way to ensure that the People's business is carried out with dignity, order and decorum.

You have also stated numerous times that you will use the Lieutenant Governor's office as a tool for implementing your partisan agenda and your decisions would be based on your partisan views rather than on the facts. Perhaps you haven't learned the difference between the House and the Senate in your short time in the Legislature. The presiding officer of the House, the Speaker, is an elected partisan member of the majority party of the body, which is not the case in the Senate. If you want to be a partisan, I would encourage you to continue to serve the people of the 48<sup>th</sup> Legislative District in the job they elected you to. There are already 49 Senators and the body does not need 50.

Without question, your taking these actions would weaken your ability to maintain the respect of the Senators and your ability to preside effectively. The job is not an "in your face, my way or

the highway” job. It is one much like a judge’s; to maintain order, to ensure the rules and procedures are followed, and to be seen as fair and impartial.

I am also concerned about your statement that because you are a lawyer you will not need the two Senate caucus attorneys that work with me when I am faced with making very difficult rulings. The implication is that the Senate would save money and that you’d be able to be freely make rulings as you see them without any outside influence. The attorneys are full time employees of the Senate, one each for the Democratic and Republican caucuses, and are not employees of the Office of Lieutenant Governor. However they do advise the Lieutenant Governor when he serves as President of the Senate, ensuring that he hears all of the arguments and facts based on previous rulings, case law, the Constitution, the legislature’s and Reed’s rules and state law. Despite your obvious high opinion of your lawyering skills, these advisors are invaluable assets to the job and again ensure the ability of the presiding officer to be thoughtful and fair. But, if you’d like to be a caucus attorney, you can feel free to speak with your leadership.

You have also grossly misrepresented the duty of the Lieutenant Governor with regard to appointments. You have said numerous times that the Lieutenant Governor appoints hundreds of citizens to state boards and commissions and that this is a great opportunity to influence state policy with a partisan agenda.

In reality, the vast majority of the appointments the Lieutenant Governor makes are appointing Senators to various task forces, boards and commissions. In terms of citizen appointments, those opportunities are limited and occur within parameters set by the Legislature, for example the citizens who are appointed to write statements for and against initiatives for the voter pamphlet. Making statements about appointments as you have done misleads the public and will in turn create an atmosphere of mistrust and apprehension. I fail to see how your introduction of political patronage and Beltway style gamesmanship will improve the legislative process for the people of Washington.

In reality, even though the interest groups have a vested interest in seeing your promises fulfilled, what is guaranteed to happen is that as Lieutenant Governor you will almost certainly be stripped of your chairmanship of the Rules committee, you will never be able to, in effect, hold up a bill more than a few hours, and you will completely lose the respect of the Senate which will result in constant overriding of your rulings under Senate Rule 32 and your position will be rendered meaningless and ineffective. The Lieutenant Governor is one of only two statewide elected offices that can be eliminated without a constitutional amendment. That outcome would be unfortunate in that the position has been very useful in fulfilling many important roles over the years.

I have been in politics for over 40 years and I understand the demands of running for public office. I have been honored to serve the state of Washington as Lieutenant Governor and I cherish the impartiality and fairness, as well as, the order, decorum and dignity of the Washington State Senate that has been developed by both Democratic and Republican Lieutenant Governors over the years.

I am disappointed that you have crossed the line and have made meaningless and “Donald Trump” type proposals to get elected to office. I call upon you to tone down your rhetoric and dismiss these proposals of yours which demean the office of Lieutenant Governor and will create chaos in the Washington State Senate.

Sincerely,

Brad Owen  
Lieutenant Governor