

SEVENTY-SECOND DAY

NOON SESSION

Senate Chamber, Olympia, Tuesday, March 24, 2009

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

March 23, 2009

SB 6002 Prime Sponsor, Senator Keiser: Abolishing the Washington state quality forum. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Carrell; Fairley; Hobbs; Keiser; Kohl-Welles; McDermott; Regala and Rockefeller.

MINORITY recommendation: Do not pass. Signed by Senator Oemig.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

March 23, 2009

SB 6108 Prime Sponsor, Senator Prentice: Allowing the state lottery to enter into agreements to conduct multistate shared games. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6108 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Oemig; Pridemore; Regala and Rockefeller.

MINORITY recommendation: Do not pass. Signed by Senators Carrell; Honeyford; Pflug and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zarelli; Brandland; Fairley and Murray.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1063 Prime Sponsor, Representative Takko: Removing the termination date for the salmon and steelhead recovery program under RCW 77.85.200. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

SHB 1110 Prime Sponsor, Committee on Education: Prohibiting advertising and marketing to students receiving home-based instruction and their parents. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Hobbs; Holmquist; Jarrett; McDermott; Roach and Tom.

Passed to Committee on Rules for second reading.

March 23, 2009

SHB 1215 Prime Sponsor, Committee on Commerce & Labor: Modifying motor vehicle warranty provisions. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass as amended. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; King and Kline.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Passed to Committee on Rules for second reading.

March 23, 2009

SHB 1250 Prime Sponsor, Committee on Capital Budget: Concerning the housing trust fund. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Oemig; Pridemore; Regala and Rockefeller.

MINORITY recommendation: Do not pass. Signed by Senators Zarelli; Carrell; Honeyford; Parlette; Pflug and Schoesler.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brandland and Hewitt.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1288 Prime Sponsor, Representative Upthegrove: Exempting the annual parental declaration of intent to home school from the public disclosure act. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Hobbs; Holmquist; Jarrett; McDermott; Roach and Tom.

Passed to Committee on Rules for second reading.

March 23, 2009

ESHB 1326 Prime Sponsor, Committee on Agriculture & Natural Resources: Establishing a license limitation program for harvest and delivery of Pacific sardines into the state. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass as amended. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1380 Prime Sponsor, Representative Llias: Changing the county population requirement in order for a county to lease space with an option to purchase. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1437 Prime Sponsor, Representative Dammeier: Authorizing a volunteer chaplain for the department of fish and wildlife. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1456 Prime Sponsor, Representative Dunshee: Preventing the conversion of certain natural resource lands. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

MINORITY recommendation: Do not pass. Signed by Senators Roach and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

2SHB 1484 Prime Sponsor, Committee on Capital Budget: Expanding the riparian open space program to include lands that contain critical habitat of threatened or endangered species. (REVISED FOR PASSED LEGISLATURE: Regarding habitat open space.) Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass as amended. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1506 Prime Sponsor, Representative Conway: Providing benefits for the survivors of certain firefighters. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 23, 2009

ESHB 1516 Prime Sponsor, Committee on Agriculture & Natural Resources: Regarding the recovery of gear used in the coastal Dungeness crab fishery. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass as amended. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2009

HB 1517 Prime Sponsor, Representative Darneille: Changing requirements for the restoration of the right to vote for people convicted of felonies. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

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MINORITY recommendation: Do not pass. Signed by Senators Roach and Swecker.

operating agencies and public utility districts.) Reported by Committee on Government Operations & Elections

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

March 23, 2009

HB 1527 Prime Sponsor, Representative Kessler: Concerning medicaid payment rates for boarding homes. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

March 23, 2009
SHB 1733 Prime Sponsor, Committee on Finance: Concerning the property tax current use valuation programs. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

March 23, 2009

HB 1569 Prime Sponsor, Representative Liias: Establishing local public works assistance funds. Reported by Committee on Government Operations & Elections

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

March 23, 2009
SHB 1765 Prime Sponsor, Committee on Health Care & Wellness: Concerning the license surcharge for the impaired physician program. Reported by Committee on Health & Long-Term Care

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Marr; Murray and Parlette.

March 23, 2009

HB 1578 Prime Sponsor, Representative Driscoll: Regarding the board of directors of an air pollution control authority. Reported by Committee on Government Operations & Elections

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

March 23, 2009
2SHB 1797 Prime Sponsor, Committee on General Government Appropriations: Examining rural and resource lands. Reported by Committee on Government Operations & Elections

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott; Pridemore and Swecker.

March 23, 2009

SHB 1595 Prime Sponsor, Committee on Agriculture & Natural Resources: Regarding the transfer of certain state forest lands. Reported by Committee on Natural Resources, Ocean & Recreation

MINORITY recommendation: Do not pass. Signed by Senator Roach.

MAJORITY recommendation: Do pass as amended. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

Passed to Committee on Ways & Means.

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EHB 1728 Prime Sponsor, Representative Takko: Regarding the issuance of checks by joint operating agencies and public utility districts. (REVISED FOR ENGROSSED: Regarding the payment of claims or obligations by joint

HB 1852 Prime Sponsor, Representative Appleton: Modifying provisions relating to record checks using fingerprints. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early

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Learning; Oemig, Vice Chair, K-12; King; Brandland; Hobbs; Holmquist; Jarrett; McDermott; Roach and Tom.

HB 2199 Prime Sponsor, Representative Newhouse: Providing regulatory relief for properties impacted by shifts in shoreline location due to habitat restoration projects. Reported by Committee on Natural Resources, Ocean & Recreation

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Hargrove; Hatfield; Stevens and Swecker.

March 23, 2009

SHB 1953 Prime Sponsor, Committee on Ways & Means: Allowing department of fish and wildlife enforcement officers to transfer service credit. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

MOTION

On motion of McDermott, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Substitute House Bill No. 1595 which was referred to the Committee on Ways & Means.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator McDermott, the Senate advanced to the fourth order of business.

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SHB 1957 Prime Sponsor, Committee on Capital Budget: Identifying qualified applicants and procedures within the Washington wildlife and recreation program. Reported by Committee on Natural Resources, Ocean & Recreation

MESSAGE FROM THE HOUSE

March 23, 2009

MAJORITY recommendation: Do pass as amended. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Stevens and Swecker.

MR. PRESIDENT:
The House has passed the following bill:
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2295,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

Passed to Committee on Rules for second reading.

MESSAGE FROM THE HOUSE

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SHB 1972 Prime Sponsor, Committee on Agriculture & Natural Resources: Regarding access to information for outdoor recreation and wildlife viewing opportunities. Reported by Committee on Natural Resources, Ocean & Recreation

MR. PRESIDENT:
The Speaker has signed the following:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5671
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hargrove; Hatfield; Stevens and Swecker.

MESSAGE FROM THE HOUSE

March 24, 2009

Passed to Committee on Rules for second reading.

MR. PRESIDENT:
The Speaker has signed the following:
HOUSE BILL NO. 1562,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

March 23, 2009

HB 2117 Prime Sponsor, Representative Cody: Modifying the basic health plan. Reported by Committee on Health & Long-Term Care

SIGNED BY THE PRESIDENT

The President signed:
HOUSE BILL NO. 1562,

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley; Marr and Murray.

MOTION

MINORITY recommendation: Do not pass. Signed by Senators Pflug; Becker and Parlette.

On motion of Senator McDermott, the Senate advanced to the eighth order of business.

Passed to Committee on Ways & Means.

MOTION

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Senator Hatfield moved adoption of the following resolution:

SENATE RESOLUTION
8644

By Senators Hatfield, Schoesler, Delvin, Holmquist, Haugen, Jacobsen, Shin, Morton, Becker, Hobbs, Murray, Ranker, and Brandland

WHEREAS, Families across Washington depend on the safe and nutritious dairy products provided by the dairy farmers of Washington state; and

WHEREAS, There are approximately 465 family dairy farms in Washington state with approximately 244,000 dairy cows; and

WHEREAS, Washington state ranks tenth in total milk production in the United States with 662 million gallons annually; and

WHEREAS, Washington ranks second in milk production per cow with 23,344 pounds of milk per year; and

WHEREAS, Milk is the second highest dollar-valued agricultural commodity produced in Washington, valued at 1.06 billion dollars; and

WHEREAS, Dairy farming has an annual economic impact of 4.25 billion dollars; and

WHEREAS, There are over 12,000 on-farm dairy jobs in 25 counties across Washington, and over 40,000 jobs in the dairy industry in total; and

WHEREAS, The Washington State Dairy Ambassadors for 2008-2009 are Ambassador Eryn Edwards of Olympia and alternate Ambassadors Trisha Dykstra, representing Skagit/Island Counties, and Adrienne Schoenbachler of Snohomish County; and

WHEREAS, Dairy Day at the legislature is March 11, 2009, when the legislators will visit with the dairy producers of the state and enjoy ice cream produced in Washington that will be handed out by the Washington State Dairy Federation, Washington State Dairy Women and the state and county Dairy Ambassadors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge and honor the women and men whose work on dairy farms throughout Washington has contributed much to the strength and vitality of our economy, the character of our communities, and the general well-being of our citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Washington State Dairy Ambassador Eryn Edwards, alternate Ambassadors Adrienne Schoenbachler and Trisha Dykstra, and the Washington State Dairy Federation.

Senator Hatfield spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8644.

The motion by Senator Hatfield carried and the resolution was adopted by voice vote.

MOTION

Senator McDermott moved adoption of the following resolution:

SENATE RESOLUTION
8650

By Senators Kilmer and McAuliffe

WHEREAS, The students selected for special recognition as Washington Scholars and Washington Scholars-Alternate in 2009 have distinguished themselves as exceptional students,

student leaders, and as talented and enthusiastic participants in many diverse activities including art, debate, drama, honor societies, interscholastic sports, Junior Achievement, knowledge competitions, music, and student government; and

WHEREAS, These exemplary students have also contributed to the welfare of those less fortunate in their neighborhoods through volunteer efforts with community service organizations such as the United Way, Special Olympics, March of Dimes, Big Brothers, Big Sisters, community food drives, senior centers, scouting, and church groups; and

WHEREAS, The state of Washington benefits greatly from the accomplishments of these caring and gifted individuals, not only in their role as students, but also as citizens, role models for other young people, and future leaders of our communities and our state; and

WHEREAS, Through the Washington Scholars Program, the Governor, the Legislature, and the state's citizens have an opportunity to recognize and honor four outstanding seniors from each of the state's forty-nine Legislative Districts, three scholars and one alternate, for the students' exceptional academic achievements, leadership abilities, and contributions to their communities;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor and congratulate the Washington Scholars for their hard work, dedication, contributions, and maturity in achieving this significant accomplishment; and

BE IT FURTHER RESOLVED, That the families of these students be commended for the encouragement and support they have provided to the scholars; and

BE IT FURTHER RESOLVED, That the principals, teachers, and classmates of these highly esteemed students be recognized for the important part they played in helping the scholars to learn, contribute, lead, and excel; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to each of the Washington Scholars and the Washington Scholars-Alternate selected in 2009.

Senator McDermott spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8650.

The motion by Senator McDermott carried and the resolution was adopted by voice vote.

MOTION

Senator Morton moved adoption of the following resolution:

SENATE RESOLUTION
8651

By Senator Morton

WHEREAS, British Columbia and Washington State share a border, many natural resources, and geological and geographic similarities; and

WHEREAS, British Columbia and Washington State often work together to achieve mutual goals, including British Columbia working together with Whatcom County officials to secure and streamline the border crossing and transportation throughout the region for the 2010 Winter Olympics in British Columbia; and

WHEREAS, The primary purpose of the Washington State Constitution is the education of our youth in order to prepare them to lead us into the future; and

WHEREAS, British Columbia recognizes the importance and value of quality civic education; and

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WHEREAS, Washington State and British Columbia sponsor nationally renowned legislative internship programs; and

WHEREAS, Washington State undergraduate interns spend their winter quarter or spring semester working in Olympia with staff and members of the Washington State House of Representatives or Senate; and

WHEREAS, In addition to their office work, interns participate in weekly academic seminars and workshops learning about the process of a representative democracy with a bicameral legislature; and

WHEREAS, British Columbia parliamentary internship offers an opportunity to university graduates to supplement their academic training by observing the daily workings of the Legislature firsthand; and

WHEREAS, Interns acquire skills and knowledge they can apply in the chosen careers and future life experiences that will further contribute to a greater public understanding and appreciation of parliamentary government; and

WHEREAS, For the seventh year British Columbia and Washington State Legislative interns have participated in an exchange program to explore and learn about each other's history and government processes; and

WHEREAS, We welcome the British Columbia Parliamentary interns to the Washington State Legislature and commend their numerous academic achievements;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the hardworking and dedicated British Columbian Parliamentary intern program facilitators: Karen Aitken and Jacqueline Quesnel, as well as the British Columbian Parliamentary interns: James Bagan, Shawn Courtney, James Cybulski, Jennifer Goad, Michael Gudaitis, Niya Karpenko, Andrew Kurjata, Emily-Anne Paul, Marie Perry, and Erin Rennie, and extending our deepest gratitude to our own Legislative intern Coordinators, Judi Best and Samantha Barrera for putting together such excellent programs; and

BE IT FURTHER RESOLVED, That the Senate of the State of Washington hereby honor, thank, and celebrate the British Columbian Parliamentary internship participants here today.

Senator Morton spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 865 I.

The motion by Senator Morton carried and the resolution was adopted by voice vote.

PERSONAL PRIVILEGE

Senator Kilmer: Thank you, unfortunately the chair of the Higher Ed committee had us go long today so unfortunately we weren't able to come and say a few words on behalf of the resolution that was heard earlier. I say that as the Chair of the Higher Ed Committee whose the guilty party. I'd like to say briefly on the resolution dealing with the Washington Scholars Program. What a terrific program that is as a means of recognizing the hard work of our high school students throughout the state. I actually myself was a Washington Scholar and my brothers were as well and it provided them with an opportunity to go to college in this state and helped them cover some of the cost and I think that's a real asset when we can invest in the future of the kids of our state. So, with that I thank the body for their support of the resolution and I beg of the President's indulgence for haven been late. Thank you."

PERSONAL PRIVILEGE

Senator McAuliffe: "Thank you I'd like to speak if I may on the senate resolution that was heard earlier, 8650 honoring the Scholars and due to the chair of Higher Education I'm late too.

So, I do want to recognize these students who will be our leaders of tomorrow. They are exceptional students. They are community volunteers and they are caring and gifted individuals. I feel very confident with these young scholars moving through our schools that they will be the leaders of tomorrow and we honor them and recognize the work that they do. Thank you Mr. President."

MOTION

At 12:08 p.m., on motion of Senator McDermott, the Senate adjourned until 10:00 a.m. Wednesday, March 25, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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