

SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Saturday, March 20, 2010

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Benton, Brandland, Delvin, Gordon, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker.

The Sergeant at Arms Color Guard consisting of Assistant Sergeant at Arms, Len Whitney and Loren Lacey, presented the Colors. Senator Shin offered the prayer.

MOTION

On motion of Senator Eide, 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 19, 2010

SB 6884 Prime Sponsor, Senator Hargrove: Concerning the practice of counseling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6884 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; Zarelli; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

March 19, 2010

SB 6889 Prime Sponsor, Senator McDermott: Concerning the governance and financing of the Washington state convention and trade center. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6889 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; Zarelli; Fairley; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

March 19, 2010

EHB 2360 Prime Sponsor, Representative Darneille: Concerning consolidation of administrative services for AIDS grants in the department of health. 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; Honeyford; Keiser; Kline; Kohl-Welles; Murray; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 19, 2010

HB 2676 Prime Sponsor, Representative Chase: Extending the pay back period for certain energy conservation loans. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Carrell; 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 19, 2010

HB 2677 Prime Sponsor, Representative Chase: Extending the pay back period for certain water conservation loans. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Carrell; 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 17, 2010

ESHB 2753 Prime Sponsor, Committee on Capital Budget: Creating a workforce housing program. (REVISED FOR ENGROSSED: Creating the Washington works housing program.) Reported by Committee on Ways & Means

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

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

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

Passed to Committee on Rules for second reading.

March 19, 2010

EHB 2969 Prime Sponsor, Representative Hudgins: Promoting efficiencies in the services provided by the office of the public printer. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

March 19, 2010

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2493. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 19, 2010

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2782,

ENGROSSED SUBSTITUTE HOUSE BILL 2836. and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1697 by Representatives Liias, Priest, Sullivan, Quall, Upthegrove, Santos, Kenney and Ormsby

AN ACT Relating to career and technical student organizations; and amending RCW 28A.300.380.

Referred to Committee on Ways & Means.

SHB 2580 by House Committee on Education (originally sponsored by Representatives Liias, Simpson and Sullivan)

AN ACT Relating to secondary career and technical courses; amending RCW 28B.50.531; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 3175 by House Committee on General Government Appropriations (originally sponsored by Representative Darneille)

AN ACT Relating to transferring the office of minority and women's business enterprises into the department of commerce; amending RCW 39.19.020, 39.19.030, 39.19.041, 39.19.060, 39.19.250, 39.19.150, 39.19.200, 39.19.210, 39.19.220, 39.19.230, 42.17.2401, and 43.63A.690; creating a new section; repealing RCW 41.06.082; and providing an effective date.

Referred to Committee on Government Operations & Elections.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 3175 which was referred to the Committee on Government Operations & Elections.

MOTION

At 10:11 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 12:19 p.m. by President Owen.

MOTION

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

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kline moved that Gubernatorial Appointment No. 9186, Ellen Fair, as a member of the Sentencing Guidelines Commission, be confirmed.

Senator Kline spoke in favor of the motion.

MOTION

On motion of Senator King, Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker were excused.

APPOINTMENT OF ELLEN FAIR

SIXTH DAY, MARCH 20, 2010

2010 1ST SPECIAL SESSION

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9186, Ellen Fair as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9186, Ellen Fair as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 38; Nays, 1; Absent, 1; Excused, 9.

Voting yea: Senators Becker, Berkey, Brown, Carrell, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Tom and Zarelli

Voting nay: Senator Honeyford

Absent: Senator Gordon

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

Gubernatorial Appointment No. 9186, Ellen Fair, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

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

MOTION

Senator Kauffman moved adoption of the following resolution:

SENATE RESOLUTION
8724

By Senators Kauffman, Kilmer, Berkey, Hargrove, Oemig, Kline, Gordon, Ranker, Prentice, Murray, Tom, Marr, Eide, Sheldon, Kastama, Jacobsen, King, Kohl-Welles, Schoesler, Rockefeller, Hobbs, McAuliffe, McDermott, Shin, Pridemore, Hatfield, Fraser, Keiser, and Haugen

WHEREAS, Edward Claplanhoo, Makah Tribal Elder and Statesman, served three terms as the Makah tribal chairman; and

WHEREAS, Mr. Claplanhoo was recognized as a cultural treasure, inspiration, and mentor to the young and the old in the Makah Nation and all Native American nations; and

WHEREAS, He was instrumental in involving the people of the Makah Nation in the Ozette archaeological dig and in establishing the Makah Cultural and Research Center at Neah Bay; and

WHEREAS, Edward Claplanhoo served as the chairman of the board for the United Indians of All Tribes Foundation in Seattle, was an elder of the Neah Bay Assembly of God Church, and was a member of the Makah tribe's higher education committee; and

WHEREAS, Claplanhoo was also famous for his velvet booming voice as the emcee of the annual Makah Days celebration keeping the event lively and community centered since 1966; and

WHEREAS, Edward Claplanhoo was a proud Cougar alumni of Washington State University and was officially recognized as an honored graduate; and

WHEREAS, Edward Claplanhoo was a very active army veteran and was stationed at Fort Worden in Port Townsend and at Fort Lewis near Tacoma; and

WHEREAS, Edward Claplanhoo donated his land and was one of the most ardent advocates for the construction of the Fort Nunez

Gaona-Diah Veterans Park and monument that honors all the veterans of Neah Bay and officially recognizes the site of the original 1779 Spanish Fort and settlement; and

WHEREAS, Edward Claplanhoo passed on March 14th and is survived by his wife Thelma, his daughter and son-in-law, Karen and Jack Werkau, his son and daughter-in-law, Vern and Marla Tolliver, five grandchildren, and eight great-grandchildren; and

WHEREAS, Edward Claplanhoo with his quiet dignity, intellect, passion for his culture, ancestors, and people, and his true commitment to the good of his country brought happiness to all that knew him and pride to his Native Makah Nation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the life and life-long achievements of Mr. Edward Claplanhoo on behalf of the State of Washington, the Makah Nation, and all Native Americans.

Senators Kauffman, Hargrove and 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. 8724.

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

MOTION

On motion of Senator Eide, the Senate reverted to the fifth order of business.

SUPPLEMENTAL INTRODUCTION AND FIRST READING
OF HOUSE BILLS

ESHB 2493 by House Committee on Finance (originally sponsored by Representatives Cody, Williams, Pedersen, Kagi, Nelson, Orwall, McCoy, Dickerson, White, Hunt, Darneille, Moeller and Roberts)

AN ACT Relating to the taxation of cigarettes and other tobacco products; amending RCW 82.24.020, 82.24.026, 82.26.010, 82.26.020, and 82.26.030; adding a new section to chapter 82.26 RCW; creating new sections; repealing RCW 82.24.027 and 82.24.028; providing an effective date; and declaring an emergency.

E2SHB 2782 by House Committee on Ways & Means (originally sponsored by Representatives Dickerson, Appleton, McCoy, Carlyle, Morrell, Kagi, Kessler, Green, Ericks, Moeller, Roberts, Nelson and Orwall)

AN ACT Relating to establishing the security lifeline act; amending RCW 74.04.005, 10.101.010, 26.19.071, 31.04.540, 70.123.110, 73.08.005, 74.04.0052, 74.04.120, 74.04.230, 74.04.266, 74.04.620, 74.04.770, 74.08.043, 74.08.278, 74.08.335, 74.08A.210, 74.09.010, 74.09.035, 74.09.555, and 74.50.060; reenacting and amending RCW 13.34.030; adding new sections to chapter 74.04 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 70.47 RCW; adding a new section to chapter 70.96A RCW; adding a new section to chapter 74.08A RCW; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 2836 by House Committee on Capital Budget (originally sponsored by Representatives Dunshee and White)

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.155.050, 28B.20.725, 28B.30.750, 43.160.080, 90.71.370, 39.10.210, and 39.94.040; amending 2009 c 497 ss 1005, 1013, 1029, 1019, 1023, 1030, 1031, 1034, 1035, 1039, 1040, 1045, 1046, 1048, 1054, 1055, 1065, 1071, 1075, 1060, 1061, 1063, 1064, 1068, 1073, 1081, 1086, 1087, 2001, 2002, 2027, 2014, 2034, 2037, 2038, 2067, 2072, 2075, 2078, 2068, 2054, 2064, 3059, 3039, 3007, 3049, 3054, 3060, 3020, 3052, 3093, 3094, 3090, 3091, 3085, 3109, 3133, 3138, 3157, 3168, 3169, 3172, 3178, 3182, 3197, 3203, 4008, 5007, 5008, 5009, 5002, 5013, 5014, 5011, 5027, 5029, 5024, 5023, 5026, 5028, 5037, 5030, 5041, 5035, 5039, 5055, 5047, 5054, 5056, 5057, 5064, 5061, 5065, 5068, 5079, 5080, 5083, 5092, 5094, 5093, 5097, 5104, 5100, 5111, 5115, 5116, 5118, 5120, 5174, 5176, 5127, 5180, 5171, 5182, 5210, 5183, 5184, 5217, 5218, 5219, 5220, 5204, 5205, 5206, 5208, 5165, 5177, 5178, 5191, 5151, 5181, 5190, 5192, 5168, 5135, 5195, 5223, 5179, 5213, 5164, 5224, 5143, 5167, 6009, and 6004 (uncodified); amending 2008 c 5 s 1 (uncodified); adding new sections to 2009 c 497 (uncodified); creating a new section; repealing RCW 39.86.200; repealing 2009 c 497 ss 1089, 2030, 2079, 3098, 4009, 5043, 5059, 5072, 5084, 5098, and 5112 (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Eide, the rules were suspended and Engrossed Substitute House Bill No. 2836 was referred to the committee as designated; Engrossed Substitute House Bill No. 2493 and Engrossed Second Substitute House Bill No. 2782 were placed on the day's second reading calendar.

MOTION

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

SECOND READING

ENGROSSED HOUSE BILL NO. 2360, by Representative Darneille

Concerning consolidation of administrative services for AIDS grants in the department of health.

The measure was read the second time.

MOTION

On motion of Senator Prentice, the rules were suspended, Engrossed House Bill No. 2360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2360.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2360 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Becker, Berkey, Brown, Carrell, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Tom and Zarelli

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

ENGROSSED HOUSE BILL NO. 2360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6884, by Senators Hargrove and Shin

Concerning the practice of counseling.

MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 6884 was substituted for Senate Bill No. 6884 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 6884 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6884.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6884 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Becker, Berkey, Brown, Carrell, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Tom and Zarelli

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

SUBSTITUTE SENATE BILL NO. 6884, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2753, by House Committee on Capital Budget (originally sponsored by Representatives Orwall, Springer, Maxwell, Jacks, Nelson, Simpson, Conway, Ormsby, Chase and Santos)

Creating a workforce housing program. Revised for 1st Substitute: Creating a workforce housing program. (REVISED

SIXTH DAY, MARCH 20, 2010

FOR ENGROSSED: Creating the Washington works housing program.)

2010 1ST SPECIAL SESSION

The measure was read the second time.

MOTION

Senator Prentice moved that the following committee striking amendment by the Committee on Ways & Means be adopted.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** This act may be known and cited as the Washington works housing act of 2010.

Sec. 2. RCW 43.180.160 and 2009 c 291 s 1 are each amended to read as follows:

(1) The total amount of outstanding indebtedness of the commission may not exceed six billion dollars at any time. The calculation of outstanding indebtedness shall include the initial principal amount of an issue and shall not include interest that is either currently payable or that accrues as a part of the face amount of an issue payable at maturity or earlier redemption. Outstanding indebtedness shall not include notes or bonds as to which the obligation of the commission has been satisfied and discharged by refunding or for which payment has been provided by reserves or otherwise.

(2)(a) The Washington works housing program is created to increase opportunities for nonprofit organizations and public agencies to purchase, acquire, build, and own real property to be used for affordable housing for low and moderate-income households. The Washington works housing program is intended to provide access to new funding mechanisms and build long-term community equity by increasing the stock of permanently affordable housing owned by nonprofit organizations and public agencies.

(b) The Washington works housing program is intended to provide these opportunities for public agencies and nonprofit organizations, including those materially participating as a managing member or general partner of a partnership, limited liability company, or equivalent organization, through the issuance of tax exempt or taxable revenue bonds issued by the commission in conjunction with a subsidy necessary to make bond issues to finance affordable housing properties financially feasible. The program is intended to provide financing for affordable housing that will meet the following income and rent restrictions during the period of initial bond indebtedness and thereafter:

(c) During the period of initial bond indebtedness under the program, the owner of the property must meet one of the following requirements: A minimum of twenty percent of the units will be occupied by households earning less than fifty percent of area median income and an additional thirty-one percent of the units will be occupied by persons earning less than eighty percent of area median income; or forty percent of the units will be occupied by households earning less than sixty percent of area median income and an additional eleven percent of the units will be occupied by households earning less than eighty percent of area median income.

(d) After the initial bond indebtedness is retired, the rents charged for units in the project will be adjusted to be sufficient to pay reasonable operation and maintenance expenses, including necessary capital needs, and to make reasonable deposits into a reserve account with the intent of providing affordable housing to very low or low- income households for the remaining useful life of the property. The reasonableness of the rent levels must be periodically approved by the commission based on information provided by the owner of the property about income, expenses, and necessary reserve levels. The determination of the commission

regarding the reasonableness of the rent levels will be final.

(e) The commission will enter into a recorded regulatory agreement with the borrower at the time of the issuance of bonds under the program for the purpose of ensuring that the property will meet the income and rent restrictions established in this section. The commission may charge such compliance fees as necessary to ensure enforcement of the income and rent restrictions during the useful life of the property.

(3) One billion dollars of the outstanding indebtedness of the commission is for the primary purpose of implementing the Washington works housing program.

(4) If no subsidies are available to make the program in subsection (2) of this section feasible, then the commission may pass a resolution stating these facts and authorize the use of a portion of the one billion dollars of indebtedness intended for the program to support its other bond programs until such time as the one billion dollars is exhausted or subsidies are available to make the program feasible.

Sec. 3. RCW 39.86.100 and 2001 c 330 s 1 are each amended to read as follows:

The federal ~~((tax reform act))~~ internal revenue code of 1986, as amended imposes ~~((an annual))~~ ceilings on the aggregate amount of ~~((federally tax exempt private activity))~~ certain types of bonds, including ~~tax-exempt private activity bonds ((for housing, student loans, exempt facilities, small issue industrial, redevelopment, and certain public utility projects))~~ and other types, that may be issued during any calendar year by or on behalf of states and their political subdivisions. ~~((In 2001, the ceiling will be increased to sixty two dollars and fifty cents per capita and in 2002 the ceiling will be increased to seventy five dollars per capita, to be indexed annually, for 2003 and every year thereafter. However, a study by the department of community development indicates that the dollar amount of the state ceiling is considerably less than the anticipated dollar amount for which issuers would need an allocation from the state ceiling.))~~ The ~~((tax reform act of 1986))~~ code provides a formula for allocating the annual ~~tax-exempt private activity bond~~ ceiling among various issuers of private activity bonds for housing, student loans, exempt facilities, and redevelopment projects within a state, but permits each state to enact a different allocation method that is appropriate to that state's needs. In addition, congress might, from time to time, amend the code by authorizing state ceilings on additional types of bonds. The purpose of this chapter is to provide a flexible and efficient method of allocating the annual state ceiling in Washington in a manner that recognizes the need of the state and its political subdivisions to finance activities or projects that satisfy a substantial public purpose.

Sec. 4. RCW 39.86.110 and 2009 c 565 s 23 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means the department of commerce.

(2) ~~((("Board" means the community economic revitalization board established under chapter 43.160 RCW.~~

~~((3)))~~ "Bond use category" means: (a) Any of the following categories of bonds which are subject to the annual state ~~tax-exempt private activity bond~~ ceiling: ~~((a))~~ (i) Housing, ~~((b))~~ (ii) student loans, ~~((c))~~ (iii) small issue, ~~((d))~~ (iv) exempt facility, ~~((e))~~ (v) redevelopment, ~~((f))~~ public utility; and ~~((g))~~ and (vi) remainder; and (b) any other categories of bonds described in the code for which there is a separate ceiling, with the exception of bonds designated solely for school district purposes.

~~((4))~~ (3) "Bonds" means bonds, notes, or other obligations of an issuer.

~~((5))~~ (4) "Carryforward" is an allocation or reallocation of the state ceiling which is carried from one calendar year to a later year, in accordance with the code.

~~((6))~~ (5) "Code" means the federal internal revenue code of 1986 ~~((as it exists on May 8, 1987. It also means the code as amended after May 8, 1987, but only if the amendments are approved by the agency under RCW 39.86.180)), as amended.~~

~~((7))~~ (6) "Director" means the director of the agency or the director's designee.

~~((8))~~ (7) "Exempt facility" means the bond use category which includes all bonds which are exempt facility bonds as described in the code, except those for qualified residential rental projects.

~~((9))~~ (8) "Firm and convincing evidence" means documentation that satisfies the director that the issuer is committed to the prompt financing of, and will issue ~~((tax-exempt))~~ bonds for, the project or program for which it requests an allocation from the state ceiling.

~~((10))~~ (9) "Housing" means the bond use category which includes: (a) Mortgage revenue bonds and mortgage credit certificates as described in the code; and (b) exempt facility bonds for qualified residential rental projects as described in the code.

~~((11))~~ (10) "Initial allocation" means the portion or dollar value of the annual state tax-exempt private activity bond ceiling which initially in each calendar year is allocated to a bond use category for the issuance of private activity bonds, in accordance with RCW 39.86.120.

~~((12))~~ (11) "Issuer" means the state, any agency or instrumentality of the state, any political subdivision, or any other entity authorized to issue ~~((private activity))~~ bonds under state law.

(12) "Original allocation" means any allocation of bond authority by a mandatory formula in the code, except for the initial allocations of the annual state ceiling on tax-exempt private activity bonds.

(13) "Private activity bonds" means obligations that are private activity bonds as defined in the code or bonds for purposes described in section 1317(25) of the ~~((tax reform act))~~ federal internal revenue code of 1986, as amended.

(14) "Program" means the activities for which housing bonds ~~((or student loan bonds))~~ may be issued.

(15) ~~((Public utility))~~ means the bond use category which includes those bonds described in section 1317(25) of the tax reform act of 1986.

~~((16))~~ "Redevelopment" means the bond use category which includes qualified redevelopment bonds as described in the code.

~~((17))~~ (16) "Remainder" means that portion of the annual state tax-exempt private activity bond ceiling remaining after initial allocations are made under RCW 39.86.120 for any other bond use category.

~~((18))~~ (17) "Small issue" means the bond use category which includes all industrial development bonds that constitute qualified small issue bonds, as described in the code.

~~((19))~~ (18) "State" means the state of Washington.

~~((20))~~ (19) "State ceiling" means the volume limitation for each calendar year on ~~((tax-exempt private activity))~~ specific bond(s) types, including tax-exempt private activity bonds and other bonds, as imposed by the code.

~~((21))~~ (20) "Student loans" means the bond use category which includes qualified student loan bonds as described in the code.

NEW SECTION. Sec. 5. A new section is added to chapter 39.86 RCW to read as follows:

Original allocations or any reallocations of state bond ceilings other than the tax-exempt private activity bond ceiling must be determined by formula as provided in the code, or by department rule if no formula is provided in the code.

Sec. 6. RCW 39.86.120 and 2001 c 330 s 2 are each amended to read as follows:

(1) Except as provided in subsections (2) and (4) of this section, the initial allocation of the state ceiling shall be for each year as follows:

BOND USE CATEGORY	((2001 2002 and)) THEREAFTER	ALTERNATIVE ALLOCATION)) 2010 and THEREAFTER
Housing	((27.5% 30.0%))	32.0%
Small Issue	((24.5% 24.0%))	25.0%
Exempt Facility	((19.5% 19.0%))	20.0%
Student Loans	((14.5% 14.0%))	15.0%
Public Utility	((10.0% 10.0%))	0.0%
Remainder and Redevelopment	((4.0% 3.0%))	8.0%

(2) Initial allocations may be modified by the agency only to reflect an issuer's carryforward amount. Any reduction of the initial allocation shall be added to the remainder and be available for allocation or reallocation.

(3) The remainder shall be allocated by the agency among one or more issuers from any bond use category with regard to the criteria specified in RCW 39.86.130.

(4) Should any bond use category no longer be subject to the state ceiling due to federal or state provisions of law, the agency shall divide the amount of that initial allocation among the remaining categories as necessary or appropriate with regard to the criteria specified in RCW 39.86.130. ~~((Upon the earlier of: (a) Exhaustion of the seven hundred fifty million dollar authority under I.R.C. 1317(25), or any new federal legislation increasing the amount of authority, or creating additional authority; or (b) waiver of the authority described under (a) of this subsection due to alternative federal authority that does not use a state volume cap, then the alternative allocation schedule in subsection (1) of this section will be used.))~~

(5)(a) Prior to ~~((September 4))~~ July 1st of each calendar year, any available portion of an initial allocation may be allocated or reallocated only to an issuer within the same bond use category, except that the remainder category, or portions thereof, may be allocated at any time to any bond use category.

(b) Beginning ~~((September 4))~~ July 1st of each calendar year, the agency may allocate or reallocate any available portion of the state ceiling to any bond use category with regard to the criteria specified in RCW 39.86.130.

Sec. 7. RCW 39.86.130 and 1987 c 297 s 4 are each amended to read as follows:

(1) In granting an allocation, reallocation, or carryforward of the state ceiling as provided in this chapter, the agency shall consider existing state priorities and other such criteria, including but not limited to, the following criteria:

(a) Need of issuers to issue ~~((private activity))~~ bonds within a bond use category subject to a state ceiling;

(b) Amount of the state ceiling available;

(c) Public benefit and purpose to be satisfied, including economic development, educational opportunity, and public health, safety, or welfare;

(d) Cost or availability of alternative methods of financing for the project or program; and

(e) Certainty of using the allocation which is being requested.

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(2) In determining whether to allocate an amount of the state ceiling to an issuer within any bond use category, the agency shall consider, but is not limited to, the following criteria for each of the bond use categories:

(a) Housing: Criteria which comply with RCW 43.180.200.

(b) Student loans: Criteria which comply with the applicable provisions of Title 28B RCW and rules adopted by the higher education coordinating board or applicable state agency dealing with student financial aid.

(c) Small issue: ~~((Recommendation by the board regarding how the amount of the state ceiling set aside for the small issue bond use category shall be allocated among issuers.))~~ Factors which may include:

(i) The number of employment opportunities the project is likely to create or retain in relation to the amount of the bond issuance;

(ii) The level of unemployment existing in the geographic area likely to be affected by the project;

(iii) A commitment to providing employment opportunities to low-income persons in cooperation with the employment security department;

(iv) Geographic distribution of projects;

(v) The number of persons who will benefit from the project;

(vi) Consistency with criteria identified in subsection (1) of this section; and

(vii) Order in which requests were received;~~(=and~~

~~(viii) Requirements of the board's umbrella bond program)).~~

(d) Exempt facility or redevelopment: Factors which may include:

(i) State issuance needs;

(ii) Consistency with criteria identified in subsection (1) of this section;

(iii) Order in which requests were received;

(iv) The proportionate number of persons in relationship to the size of the community who will benefit from the project; and

(v) The unique timing and issuance needs of large scale projects that may require allocations in more than one year.

(e) Public utility: Factors which may include:

(i) Consistency with criteria identified in subsection (1) of this section; and

(ii) Timing needs for issuance of bonds over a multi-year period.

Sec. 8. RCW 39.86.140 and 1987 c 297 s 5 are each amended to read as follows:

(1) No issuer may receive an allocation of the state ceiling without a certificate of approval from the agency.

(2)~~((a))~~ For each state ceiling allocation request, an issuer shall submit to the agency, no sooner than ninety days prior to the beginning of a calendar year for which an allocation of the state ceiling is being requested, a form identifying:

~~((a))~~ (a) The amount of the allocation sought;

~~((b))~~ (b) The bond use category from which the allocation sought would be made;

~~((c))~~ (c) The project or program for which the allocation is requested;

~~((d))~~ (d) The financing schedule for which the allocation is needed; and

~~((e))~~ (e) Any other such information required by the agency, including information which corresponds to the allocation criteria of RCW 39.86.130.

~~((b) Nothing in (a) of this subsection precludes a public utility issuer from filing and the agency from considering a request at such times as may be appropriate in order to meet the criteria set forth in RCW 39.86.130(2)(e)(ii).))~~

(3) The agency may approve or deny an allocation for all or a portion of the issuer's request. Any denied request, however, shall remain on file with the agency for the remainder of the calendar year and shall be considered for receiving any allocation, reallocation, or carryforward of unused portions of the state ceiling during that period.

(4) After receiving an allocation request, the agency shall mail to the requesting issuer a written certificate of approval or notice of denial for an allocation amount, by a date no later than the latest of the following:

(a) ~~((Forty five days from May 8, 1987;~~

~~(b))~~ February 1st of the calendar year(~~(=other than 1987,))~~ for which the request is made;

~~((c))~~ (b) Fifteen days from the date the agency receives an allocation request; or

~~((d))~~ (c) Fifteen days from the date the agency receives a recommendation by the board with regard to a small issue allocation request, should the board choose to review individual requests.

(5)(a) For requests of the state ceiling of any calendar year, the following applies to all bond use categories except housing and student loans:

(i) Except for housing and student loans, any allocations granted prior to April 1st, for which bonds have not been issued by ~~((September 1))~~ July 1st of the same calendar year, shall revert to the agency on ~~((September 1))~~ July 1st of the same calendar year for reallocation unless an extension or carryforward is granted;

(ii) Except for housing and student loans, any allocations granted on or after April 1st, for which bonds have not been issued by ~~((December 15))~~ October 15th of the same calendar year, shall revert to the agency on ~~((December 15))~~ October 15th of the same calendar year for reallocation unless an extension or carryforward is granted.

(b) For each calendar year, any housing or student loan allocations, for which bonds have not been issued by December 15th of the same calendar year, shall revert to the agency on December 15th of the same calendar year for reallocation unless an extension or carryforward is granted.

(6) An extension of the deadlines provided by subsection (5) of this section may be granted by the agency for the approved allocation amount or a portion thereof, based on:

(a) Firm and convincing evidence that the bonds will be issued before the end of the calendar year if the extension is granted; and

(b) Any other criteria the agency deems appropriate.

(7) If an issuer determines that bonds subject to the state ceiling will not be issued for the project or program for which an allocation was granted, the issuer shall promptly notify the agency in writing so that the allocation may be canceled and the amount may be available for reallocation.

(8) Bonds subject to the state ceiling may be issued only to finance the project or program for which a certificate of approval is granted.

(9) Within three business days of the date that bonds for which an allocation of the state ceiling is granted have been delivered to the original purchasers, the issuer shall mail to the agency a written notification of the bond issuance. In accordance with chapter 39.44 RCW, the issuer shall also complete bond issuance information on the form provided by the agency.

(10) If the total amount of ~~((tax-exempt))~~ bonds issued under the authority of a state ceiling for a project or program is less than the amount allocated, the remaining portion of the allocation shall revert to the agency for reallocation in accordance with the criteria in RCW 39.86.130. If the amount of ~~((tax-exempt))~~ bonds actually issued under the authority of a state ceiling is greater than the amount allocated, the entire allocation shall be disallowed.

Sec. 9. RCW 39.86.150 and 1987 c 297 s 6 are each amended to read as follows:

(1) Beginning (~~(September 1)~~) July 1st of each calendar year, the agency may allocate or reallocate any portions of the annual state tax- exempt private activity bond ceiling for which no certificate of approval is in effect. Reallocations may also be made from the remainder category at any time during the year.

(2) Prior to the end of each calendar year, the agency shall allocate or reallocate any unused portions of the state ceiling among one or more issuers as carryforward, to be used within three years, in accordance with the code and relevant criteria described in RCW 39.86.130.

(3) Reallocations of state bond ceilings other than the annual tax-exempt private activity bond ceiling may be made by the agency in accordance with the code or as established in agency rule when not specified in the code.

Sec. 10. RCW 39.86.170 and 1987 c 297 s 8 are each amended to read as follows:

A fee schedule shall be established by rule by the agency to assist in support of bond allocation activities. Fees shall reflect costs actually incurred or expected to be incurred by the agency in its bond allocation and bond users clearinghouse activities.

Sec. 11. RCW 39.86.190 and 2009 c 518 s 19 are each amended to read as follows:

By February 1st of each even-numbered year, the agency shall summarize for the legislature each previous year's bond allocation requests and issuance. Beginning in (~~(June of 1988)~~) February 2010 and thereafter in (~~(June)~~) February of each even-numbered year, the agency shall also submit a biennial report summarizing usage of the bond allocation proceeds and any policy concerns for future bond allocations.

NEW SECTION. **Sec. 12.** RCW 39.86.200 (Ratification) and 1987 c 297 s 11 are each repealed."

Senator Prentice spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed Substitute House Bill No. 2753.

The motion by Senator Prentice carried and the committee striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "amending RCW 43.180.160, 39.86.100, 39.86.120, 39.86.130, 39.86.140, 39.86.150, 39.86.170, and 39.86.190; reenacting and amending RCW 39.86.110; adding a new section to chapter 39.86 RCW; creating a new section; and repealing RCW 39.86.200."

MOTION

On motion of Senator Prentice, the rules were suspended, Engrossed Substitute House Bill No. 2753 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

Senator Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2753 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2753 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 11; Absent, 0; Excused, 9.

Voting yea: Senators Berkey, Brown, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon and Shin

Voting nay: Senators Becker, Carrell, Hewitt, Honeyford, King, Oemig, Parlette, Schoesler, Stevens, Tom and Zarelli

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2753 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6889, by Senators McDermott, Kohl-Welles, Kline, Murray, Prentice, Keiser, McAuliffe, Kauffman and Hewitt

Concerning the governance and financing of the Washington state convention and trade center.

MOTIONS

On motion of Senator McDermott, Substitute Senate Bill No. 6889 was substituted for Senate Bill No. 6889 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McDermott, the rules were suspended, Substitute Senate Bill No. 6889 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McDermott, Hewitt, Parlette and Kohl-Welles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6889.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6889 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 1; Absent, 0; Excused, 9.

Voting yea: Senators Becker, Berkey, Brown, Carrell, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Tom and Zarelli

Voting nay: Senator Oemig

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

SUBSTITUTE SENATE BILL NO. 6889, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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HOUSE BILL NO. 2676, by Representatives Chase and Simpson

Extending the pay back period for certain energy conservation loans.

The measure was read the second time.

MOTION

On motion of Senator Rockefeller, the rules were suspended, House Bill No. 2676 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rockefeller spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2676.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2676 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 1; Absent, 0; Excused, 9.

Voting yea: Senators Becker, Berkey, Brown, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Tom and Zarelli

Voting nay: Senator Carrell

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

HOUSE BILL NO. 2676, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2677, by Representatives Chase and Simpson

Extending the pay back period for certain water conservation loans.

The measure was read the second time.

MOTION

On motion of Senator Rockefeller, the rules were suspended, House Bill No. 2677 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rockefeller spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2677.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2677 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 1; Absent, 0; Excused, 9.

Voting yea: Senators Becker, Berkey, Brown, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Tom and Zarelli

Voting nay: Senator Carrell

Excused: Senators Benton, Brandland, Delvin, Holmquist, McCaslin, Morton, Pflug, Roach and Swecker

HOUSE BILL NO. 2677, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:05 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 2:45 p.m. by President Owen.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kline moved that Gubernatorial Appointment No. 9208, Michael R. Kawamura, as a member of the Sentencing Guidelines Commission, be confirmed.

Senator Kline spoke in favor of the motion.

MOTION

On motion of Senator Marr, Senator Brown was excused.

MOTION

On motion of Senator King, Senators Carrell, Stevens and Zarelli were excused.

MOTION

On motion of Senator Eide, Senator Berkey was excused.

APPOINTMENT OF MICHAEL R. KAWAMURA

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9208, Michael R. Kawamura as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9208, Michael R. Kawamura as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 35; Nays, 1; Absent, 1; Excused, 12.

Voting yea: Senators Becker, Benton, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin and Tom

Voting nay: Senator Honeyford

Absent: Senator Keiser

Excused: Senators Berkey, Brandland, Brown, Carrell, Delvin, Holmquist, McCaslin, Morton, Roach, Stevens, Swecker and Zarelli

Gubernatorial Appointment No. 9208, Michael R. Kawamura, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

On motion of Senator Eide, Senator Keiser was excused.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kilmer moved that Gubernatorial Appointment No. 9226, Dolorita Reandeau, as a member of the Board of Trustees, State School for the Deaf, be confirmed.

Senator Kilmer spoke in favor of the motion.

APPOINTMENT OF DOLORITA REANDEAU

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9226, Dolorita Reandeau as a member of the Board of Trustees, State School for the Deaf.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9226, Dolorita Reandeau as a member of the Board of Trustees, State School for the Deaf and the appointment was confirmed by the following vote: Yeas, 35; Nays, 1; Absent, 1; Excused, 12.

Voting yea: Senators Becker, Benton, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin and Tom

Voting nay: Senator Honeyford

Absent: Senator Kline

Excused: Senators Berkey, Brandland, Brown, Carrell, Delvin, Holmquist, McCaslin, Morton, Roach, Stevens, Swecker and Zarelli

Gubernatorial Appointment No. 9226, Dolorita Reandeau, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, State School for the Deaf.

MOTION

On motion of Senator Eide, Senator Kline was excused.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kastama moved that Gubernatorial Appointment No. 9225, Paul A. Pastor, as a member of the Sentencing Guidelines Commission, be confirmed.

Senators Kastama and Becker spoke in favor of passage of the motion.

MOTION

On motion of Senator Gordon, Senator Rockefeller was excused.

APPOINTMENT OF PAUL A. PASTOR

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9225, Paul A. Pastor as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9225, Paul A. Pastor as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 37; Nays, 0; Absent, 0; Excused, 12.

Voting yea: Senators Becker, Benton, Brown, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin and Tom

Excused: Senators Berkey, Brandland, Carrell, Delvin, Holmquist, Kline, McCaslin, Morton, Roach, Stevens, Swecker and Zarelli

Gubernatorial Appointment No. 9225, Paul A. Pastor, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

At 3:00 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:11 p.m. by President Owen.

MOTION

At 3:11 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Monday, March 22, 2010.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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