

FOURTH DAY

NOON SESSION

Senate Chamber, Olympia, Thursday, January 11, 2007

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

MOTION

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

MOTION

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

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

January 5, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

GLENN GORTON, reappointed January 1, 2005, for the term ending December 31, 2007, as Member of the Investment Board.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Financial Institutions & Insurance.

January 5, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DAVID SCOTT, reappointed January 1, 2005, for the term ending December 31, 2007, as Member of the Investment Board.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Financial Institutions & Insurance.

MOTION

On motion of Senator Eide, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

January 10, 2007

MR. PRESIDENT:

The Speaker has signed:

SENATE CONCURRENT RESOLUTION NO. 8400, and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5114 by Senators Rockefeller, Parlette, Eide, Weinstein, Fairley, Keiser, Shin, Kohl-Welles, Murray, McAuliffe, Rasmussen, Kauffman, Kilmer, Franklin and Holmquist

AN ACT Relating to student transportation funding; amending RCW 28A.160.160 and 28A.160.170; creating a new section; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

SB 5115 by Senators Kilmer, Kastama, Kauffman, Marr, Shin, Eide, Rasmussen and Regala

AN ACT Relating to expanding competitive local infrastructure financing tools projects; amending RCW 39.102.020, 39.102.040, 39.102.050, 39.102.060, 39.102.090, 39.102.120, 82.14.475, and 39.102.140; adding a new section to chapter 39.102 RCW; and providing an expiration date.

Referred to Committee on Economic Development, Trade & Management.

SB 5116 by Senators Kastama, Kilmer, Kauffman, McAuliffe, Shin, Parlette, Kohl-Welles, Rasmussen and Regala

AN ACT Relating to creating a public-private tourism partnership; amending RCW 67.40.040, 43.330.096, 43.330.090, and 43.330.094; adding a new chapter to Title 43 RCW; creating a new section; recodifying RCW 43.330.096; and repealing RCW 43.330.095.

Referred to Committee on Economic Development, Trade & Management.

SB 5117 by Senators Kilmer and Jacobsen

AN ACT Relating to the geographic residency requirements for appointments to the fish and wildlife commission; amending RCW 77.04.030; and declaring an emergency.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5118 by Senators Kohl-Welles, Brandland, Keiser, Murray, Prentice, McAuliffe, Marr and Shin

AN ACT Relating to developing sexual harassment policies, procedures, and mandatory training for all state employees; and adding a new section to chapter 41.06 RCW.

Referred to Committee on Labor, Commerce, Research & Development.

FOURTH DAY, JANUARY 11, 2007

2007 REGULAR SESSION

SB 5119 by Senators Kohl-Welles, Keiser, Spanel and Murray

AN ACT Relating to legislative requests under the sunrise review process; amending RCW 18.118.020; and adding a new section to chapter 18.118 RCW.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5120 by Senators Kohl-Welles, Poulsen, Rockefeller, Schoesler, Brown, Delvin, Hatfield and Kilmer

AN ACT Relating to requiring a survey on the deployment of broadband technologies among households in the state; adding a new section to chapter 42.56 RCW; creating new sections; and making an appropriation.

Referred to Committee on Water, Energy & Telecommunications.

SB 5121 by Senators Kohl-Welles, Parlette and Keiser

AN ACT Relating to the summary suspension of liquor licenses; and amending RCW 66.08.150.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5122 by Senators Rockefeller and Swecker

AN ACT Relating to preserving the current regulatory assistance program with cost reimbursement changes; amending RCW 43.42.005, 43.42.010, 43.42.020, 43.42.030, 43.42.040, 43.42.050, 43.42.060, 43.42.070, 43.42.080, 43.21A.690, 43.30.490, 43.70.630, 43.300.080, 70.94.085, 43.131.401, and 43.131.402; creating a new section; decodifying RCW 43.42.905; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5123 by Senators Hobbs, Kilmer, Roach, Jacobsen, Shin, Fairley, Marr, Prentice, Carrell, Murray, Rasmussen, Keiser, Berkey, Haugen, Franklin, Hatfield, Eide, Kauffman, Fraser and McAuliffe

AN ACT Relating to protecting persons with veteran or military status from discrimination; and amending RCW 49.60.010, 49.60.020, 49.60.030, 49.60.040, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.222, 49.60.223, 49.60.224, and 49.60.225.

Referred to Committee on Government Operations & Elections.

SB 5124 by Senators Fraser, Swecker, Jacobsen, Rockefeller and Shin

AN ACT Relating to abolishing the Washington wildlife rescue coalition; amending RCW 90.56.110; and repealing RCW 90.56.100.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5125 by Senators Jacobsen, Morton, Swecker, Hatfield, Rockefeller, Shin, Parlette, Rasmussen, Sheldon, Delvin, Franklin and Roach

AN ACT Relating to hunting and fishing license fees; amending RCW 77.08.010, 77.32.400, 77.32.480, and 77.32.550; and repealing RCW 77.32.490.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5126 by Senators Hargrove, Swecker, Jacobsen, Rockefeller, Morton and Rasmussen

AN ACT Relating to the public disclosure of sensitive fish and wildlife data; amending RCW 42.56.430; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5127 by Senators Jacobsen, Swecker and Rockefeller

AN ACT Relating to rockfish research; amending RCW 77.65.150, 77.65.210, and 77.32.470; adding a new section to chapter 77.12 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5128 by Senators Jacobsen and Swecker

AN ACT Relating to a secondary commercial fish receiver's failure to account for commercial harvest; amending RCW 77.15.568; and prescribing penalties.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5129 by Senators Jacobsen and Shin

AN ACT Relating to unlawfully hunting while upon the property of another; amending RCW 77.15.420; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5130 by Senator Jacobsen

AN ACT Relating to hunting access; amending RCW 77.12.320 and 4.24.210; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5131 by Senators Swecker and Jacobsen

AN ACT Relating to inspections and sampling of fish, wildlife, and shellfish by department of fish and wildlife employees; amending RCW 77.15.360; adding a new section to chapter 77.12 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Natural Resources, Ocean & Recreation.

FOURTH DAY, JANUARY 11, 2007

2007 REGULAR SESSION

SB 5132 by Senators Regala, Jacobsen, Swecker, Rockefeller, Spanel, Hatfield, Hargrove and Rasmussen

AN ACT Relating to funding the department of fish and wildlife; amending RCW 77.12.177 and 77.95.090; reenacting and amending RCW 77.12.170; and repealing RCW 77.32.510.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5133 by Senators Haugen, Swecker and Murray

AN ACT Relating to commercial driver's license requirements; amending RCW 46.25.060 and 46.25.060; providing effective dates; and declaring an emergency.

Referred to Committee on Transportation.

SB 5134 by Senators Haugen, Swecker, Rasmussen and Delvin

AN ACT Relating to authorizing police officers to impound vehicles operated by drivers without specially endorsed licenses; and amending RCW 46.55.113.

Referred to Committee on Transportation.

SB 5135 by Senators Eide, Hobbs, Keiser, Weinstein, Tom and Rasmussen

AN ACT Relating to equalizing school district salary allocations; amending RCW 84.52.0531 and 84.52.0531; adding a new section to chapter 28A.150 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5136 by Senators Haugen, Swecker, Marr and Sheldon

AN ACT Relating to transportation funding and appropriations; amending RCW 46.68.170 and 47.29.170; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5137 by Senators Kohl-Welles and Keiser

AN ACT Relating to revising the industry average unemployment contribution rates; amending RCW 50.29.025; and creating new sections.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5138 by Senators Haugen, Swecker and Marr

AN ACT Relating to transportation funding and appropriations; amending 2006 c 370 ss 227, 228, 229, 301, 302, 304, 305, 309, 401, 402, 404, 405, and 406 (uncodified); amending 2005 c 313 s 204 (uncodified); adding new sections to 2005 c 313 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5139 by Senators Prentice and Pridemore

AN ACT Relating to fiscal matters; amending 2006 c 372 ss 108, 111, 112, 114, 118, 122, 124, 126, 127, 128, 129, 137, 138, 140, 147, 150, 152, 154, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, 216, 217, 219, 221, 222, 225, 302, 303, 307, 308, 309, 402, 501, 502, 504, 505, 506, 507, 509, 510, 511, 512, 513, 514, 515, 516, 518, 603, 604, 606, 610, 701, 703, 704, 705, 706, 707, 712, 715, 801, 802, 803, 804, and 805 (uncodified); amending 2005 c 518 s 707 (uncodified); adding new sections to 2005 c 518 (uncodified); repealing 2006 c 372 s 713 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5140 by Senators Prentice and Pridemore

AN ACT Relating to fiscal matters; amending RCW 46.09.170 and 70.105D.070; reenacting and amending RCW 38.52.540 and 70.146.030; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5141 by Senators Fraser and Swecker

AN ACT Relating to affirming the applicability of land use regulations to divisions of land created by testamentary provisions or the laws of descent; and amending RCW 58.17.040.

Referred to Committee on Government Operations & Elections.

SB 5142 by Senators Fraser and Swecker

AN ACT Relating to the disbursement of funds by air pollution control agencies; and amending RCW 70.94.094.

Referred to Committee on Water, Energy & Telecommunications.

SB 5143 by Senators Fraser, Swecker and Franklin

AN ACT Relating to agricultural land under the open space program; amending RCW 84.34.020; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5144 by Senators Carrell, Kastama, Stevens, Hargrove, Marr, McAuliffe, Shin and Rasmussen

AN ACT Relating to certificates of need criteria for nursing home beds; amending RCW 70.38.115; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5145 by Senators Haugen and Rasmussen

AN ACT Relating to clarifying existing requirements for conservation of agricultural lands; amending RCW

FOURTH DAY, JANUARY 11, 2007

2007 REGULAR SESSION

36.70A.020, 36.70A.060, and 36.70A.177; and creating a new section.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5146 by Senators Haugen, Swecker and Kauffman

AN ACT Relating to the imposition of motor vehicle excise taxes by regional transit authorities; and amending RCW 81.104.160 and 81.112.130.

Referred to Committee on Transportation.

SB 5147 by Senators Haugen and Swecker

AN ACT Relating to creating a surcharge on vehicle liability insurance policies to be used for additional emphasis patrols in high-accident-corridor locations; amending RCW 48.18.170 and 48.18.180; adding new sections to chapter 46.68 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 35.102 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5148 by Senators Haugen and Swecker

AN ACT Relating to clarifying the definition of development activity with regard to regional transit authorities; and amending RCW 82.02.090.

Referred to Committee on Transportation.

SB 5149 by Senators Pridemore, Swecker, Fairley, Oemig and Shin

AN ACT Relating to modifying county treasurer administrative provisions; and amending RCW 35.61.210, 36.35.020, 36.35.100, 36.89.090, 84.56.070, 84.56.090, and 84.64.200.

Referred to Committee on Government Operations & Elections.

SB 5150 by Senator Franklin

AN ACT Relating to fiscal reform; amending RCW 82.03.130, 82.03.140, 2.10.180, 2.12.090, 6.13.030, 41.24.240, 41.35.100, 41.40.052, 41.44.240, 43.43.310, 82.08.020, 84.52.065, 84.52.068, 84.52.043, 84.52.050, 36.58.150, 36.60.040, 36.69.145, 36.73.060, 36.83.030, 36.100.050, 67.38.130, 84.52.010, 84.69.020, 39.89.020, 43.99H.060, and 43.99I.040; reenacting and amending RCW 6.15.020, 41.32.052, and 41.26.053; adding a new title to the Revised Code of Washington to be codified as Title 82A RCW; creating new sections; recodifying RCW 84.52.068; repealing RCW 6.15.025; prescribing penalties; and providing contingent effective dates.

Referred to Committee on Ways & Means.

SB 5151 by Senators Franklin, Kohl-Welles and Keiser

AN ACT Relating to the registration of persons who provide or offer to provide athletic coaching services to children under the age of eighteen; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5152 by Senators Franklin, Weinstein, Shin, Keiser, Prentice, Fairley, Rockefeller, Regala, Spanel, Kohl-Welles and Fraser

AN ACT Relating to transporting children on motorcycles or motor-driven cycles; and amending RCW 46.37.530.

Referred to Committee on Transportation.

SB 5153 by Senators Franklin, Kohl-Welles, Shin, Weinstein, Oemig, Keiser, Kauffman, Rockefeller, Fairley, Hargrove, Rasmussen, Spanel, Fraser, Jacobsen and Haugen

AN ACT Relating to encouraging employers to be infant-friendly; amending RCW 43.70.640; and making an appropriation.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5154 by Senators Franklin, Brandland, Kohl-Welles, McAuliffe, Weinstein, Carrell, Kilmer, Kastama, Keiser, Poulsen, Kauffman, Swecker, Pridemore, Rockefeller, Zarelli, Rasmussen, Regala, Hargrove, Sheldon, Hatfield, Jacobsen, Shin and Parlette

AN ACT Relating to tax relief to promote affordable housing; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Consumer Protection & Housing.

SB 5155 by Senators Kilmer, Hargrove, Shin, Murray, Marr, Kauffman, Rockefeller, Kohl-Welles, Tom, Schoesler, Sheldon, Berkey, Delvin, McAuliffe, Keiser, Rasmussen and Franklin

AN ACT Relating to helping former foster care youth gain postsecondary education and providing scholarships to former foster care youth for this purpose; adding a new chapter to Title 28B RCW; and making appropriations.

Referred to Committee on Higher Education.

SB 5156 by Senators Fraser, Brandland, Prentice, Marr and McAuliffe

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 70.105D.070, 43.43.944, and 43.155.050; amending 2005 c 488 ss 165 and 955 (uncodified); reenacting and amending RCW 43.135.045 and 43.155.050; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5157 by Senator Fairley

AN ACT Relating to organizing the department of retirement systems; and amending RCW 41.50.050 and 41.50.070.

FOURTH DAY, JANUARY 11, 2007

2007 REGULAR SESSION

Referred to Committee on Ways & Means.

SB 5158 by Senator Jacobsen

AN ACT Relating to the taxation of oil and gas production; adding a new section to chapter 84.36 RCW; adding a new chapter to Title 82 RCW; creating a new section; and providing an effective date.

Referred to Committee on Water, Energy & Telecommunications.

SB 5159 by Senator Jacobsen

AN ACT Relating to authorizing personal rapid transit and magnetic levitation transit systems; amending RCW 81.104.015; adding new sections to chapter 81.104 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5160 by Senators Jacobsen, Kohl-Welles and Rasmussen

AN ACT Relating to formation of an organic foods commission; adding a new section to chapter 15.24 RCW; adding a new section to chapter 15.26 RCW; adding a new section to chapter 15.28 RCW; adding a new section to chapter 15.44 RCW; adding a new section to chapter 15.62 RCW; adding a new section to chapter 15.65 RCW; adding a new section to chapter 15.66 RCW; adding a new section to chapter 16.67 RCW; adding a new section to chapter 43.78 RCW; adding a new chapter to Title 15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5161 by Senator Jacobsen

AN ACT Relating to food from cloned animals; and adding a new section to chapter 15.04 RCW.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5162 by Senator Jacobsen

AN ACT Relating to creation of a telework enhancement funding board; and adding a new chapter to Title 47 RCW.

Referred to Committee on Transportation.

SB 5163 by Senator Jacobsen

AN ACT Relating to creating the Washington state capitol park; amending RCW 79.24.710, 79.24.730, 46.08.150, 43.34.080, 27.48.040, 43.34.090, 46.08.172, 79.24.300, 79.24.540, 79.24.560, and 79.24.570; adding new sections to chapter 79A.05 RCW; repealing RCW 43.19.125 and 79.24.530; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5164 by Senators Jacobsen, Hobbs, Shin, Rasmussen, Kilmer and Franklin

AN ACT Relating to expanding the veterans conservation corps program; amending RCW 43.60A.150; amending 2005 c 257 s 1 (uncodified); adding new sections to chapter 43.60A RCW; creating a new section; and making appropriations.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5165 by Senators McAuliffe, Franklin, Fairley, Shin and Rasmussen

AN ACT Relating to providing temporary graduation provisions for students who do not meet standards on the high school mathematics assessments but meet all other graduation requirements; amending RCW 28A.655.061 and 28A.155.045; adding a new section to chapter 28A.655 RCW; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SB 5166 by Senators Shin, Kastama, Marr, Murray, Kauffman, Kilmer, Zarelli, Eide, Berkey, Franklin, Jacobsen, Rockefeller, McAuliffe, Regala, Pridemore, Clements, Keiser, Rasmussen, Sheldon, Delvin and Roach

AN ACT Relating to the designation of the thirteenth day of January of each year as Korean-American day; amending RCW 1.16.050 and 43.117.070; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5167 by Senators Shin, Kastama, Kilmer, Zarelli, Haugen and Pridemore

AN ACT Relating to expanding the definition of training system; and amending RCW 28C.18.010.

Referred to Committee on Higher Education.

SB 5168 by Senators Shin, Kastama, Kauffman, Kilmer and Kohl-Welles

AN ACT Relating to sales tax refunds for low-income students; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Higher Education.

SB 5169 by Senators Shin, Kastama, Zarelli, Pridemore, Haugen, Jacobsen, Kohl-Welles, Rasmussen, Delvin and Roach

AN ACT Relating to the Washington international relations foundation; adding a new section to chapter 42.52 RCW; adding a new chapter to Title 44 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Economic Development, Trade & Management.

SB 5170 by Senators Shin, Kastama, Zarelli, Kilmer, Kauffman, Jacobsen, Clements, Parlette and Rasmussen

AN ACT Relating to the state trade fair fund; amending RCW 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.840, and 43.31.850; and repealing RCW 43.31.833 and 43.31.834.

FOURTH DAY, JANUARY 11, 2007

Referred to Committee on Economic Development, Trade & Management.

SJM 8000 by Senators Shin, Kastama, Fairley, Kauffman, Marr, Murray, Spanel, Oemig, Franklin, Keiser, Kohl-Welles, Berkey, Hobbs, Pridemore, Kline and Tom

Requesting the restoration of funding for the study and observation of the global atmospheric transport of pollution.

Referred to Committee on Water, Energy & Telecommunications.

SJR 8207 by Senators Eide, Pridemore, Marr, McAuliffe, Weinstein, Shin, Tom, Kohl-Welles, Rasmussen, Kilmer, Franklin and Regala

Amending the Constitution to provide for a simple majority of voters voting to authorize a school levy.

Referred to Committee on Early Learning & K-12 Education.

SJR 8208 by Senators Haugen and Swecker

Amending the state Constitution by requiring toll facility or operation revenue to be used solely for the facility or operation.

Referred to Committee on Transportation.

SJR 8209 by Senators Franklin and Kohl-Welles

Amending the Constitution to allow an income tax.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:03 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Friday, January 12, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

5114	Introduction & 1st Reading	1
5115	Introduction & 1st Reading	1
5116	Introduction & 1st Reading	1
5117	Introduction & 1st Reading	1
5118	Introduction & 1st Reading	1
5119	Introduction & 1st Reading	2
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5143	Introduction & 1st Reading	3
5144	Introduction & 1st Reading	3
5145	Introduction & 1st Reading	3
5146	Introduction & 1st Reading	4
5147	Introduction & 1st Reading	4
5148	Introduction & 1st Reading	4
5149	Introduction & 1st Reading	4
5150	Introduction & 1st Reading	4

FOURTH DAY, JANUARY 11, 2007

5151 Introduction & 1st Reading 4

5152 Introduction & 1st Reading 4

5153 Introduction & 1st Reading 4

5154 Introduction & 1st Reading 4

5155 Introduction & 1st Reading 4

5156 Introduction & 1st Reading 4

5157 Introduction & 1st Reading 4

5158 Introduction & 1st Reading 5

5159 Introduction & 1st Reading 5

5160 Introduction & 1st Reading 5

5161 Introduction & 1st Reading 5

5162 Introduction & 1st Reading 5

5163 Introduction & 1st Reading 5

5164 Introduction & 1st Reading 5

5165 Introduction & 1st Reading 5

5166 Introduction & 1st Reading 5

5167 Introduction & 1st Reading 5

5168 Introduction & 1st Reading 5

5169 Introduction & 1st Reading 5

5170 Introduction & 1st Reading 5

8000 Introduction & 1st Reading 6

8207 Introduction & 1st Reading 6

8208 Introduction & 1st Reading 6

8209 Introduction & 1st Reading 6

8400 Speaker Signed 1

MESSAGE FROM GOVERNOR

Gubernatorial Appointments 1