

**SENATE JOURNAL
60TH LEGISLATURE
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 24, 2007

Senate Chambers
State Capitol

Senate convened at 8:00 a.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. Senator Jent is excused. Quorum present.

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 43

Nays: Balyeat, Gebhardt, Jackson, McGee, O'Neil, Shockley.
Total 6

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

MOTIONS

SEN. CAROL WILLIAMS, SD 46, MISSOULA moved the Democrats to caucus. **SEN. COREY STAPLETON, SD 27, BILLINGS** moved the Republicans to caucus. Motions carried.

Senate recessed at 8:07 a.m.

Senate reconvened at 8:35 a.m.

Roll Call. Senator Jent is excused. Quorum present.

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gillan, Hansen, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 41

Nays: Balyeat, Esp, Gebhardt, Jackson, McGee, O'Neil, Shockley.
Total 7

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hansen, Chairman):
SB 544, introduced bill, be amended as follows:

3/13/2007

1. Title, line 4.

Following: "BEEF"

Insert: "CATTLE"

2. Title, line 5.

Strike: "BOARD"

Insert: "DEPARTMENT"

3. Title, line 6.

Following: "BEEF"

Insert: "CATTLE"

4. Title, line 7.

Following: "BEEF"

Insert: "CATTLE"

5. Page 1, line 11.

Following: "beef"

Insert: "cattle"

6. Page 1, line 12.

Strike: "board"

Insert: "department"

Following: "beef"

Insert: "cattle"

Following: "that"

Strike: "has"

Insert: "have"

7. Page 1, line 14.

Following: first "beef"

Insert: "cattle"

Following: second "beef"

Strike: "must be from"

Following: "cattle"

Strike: "that"

Insert: "must"

8. Page 1, line 15.

Following: "The"

Insert: "beef"

9. Page 1, line 20.

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Following: "chemicals,"
Insert: "or"
Following: "byproducts"
Strike: ", or artificial additives"

10. Page 1, line 21.
Following: first "beef"
Insert: "cattle"
Following: second "beef"
Strike: "must be from"
Following: "cattle"
Strike: "that"
Insert: "must"

11. Page 1, line 22.
Strike: "that"
Insert: "must"

12. Page 1, line 23.
Following: "beef"
Insert: "cattle"
Following: "birth of the"
Insert: "beef"

13. Page 1, line 24.
Following: "records for the"
Insert: "beef"

14. Page 1, line 26.
Strike: "board"
Insert: "department"

15. Page 1, line 27.
Following: "origin of the"
Insert: "beef"

16. Page 1, line 28.
Following: "beef"
Insert: "cattle"

17. Page 1, line 29.
Following: "beef"
Insert: "cattle"

And, as amended, do pass. Report adopted.

SJR 13, introduced joint resolution, be amended as follows:

1. Page 2, line 30.
Strike: "and"

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2. Page 3, line 1.

Following: "Services"

Strike: ". "

Insert: "; and (15) the Department of Livestock."

And, as amended, be adopted. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Ryan, Chairman):

2/24/2007

SB 307, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1.

Following: line 21

Insert: "NEW SECTION. Section 4. Termination. [This act] terminates June 30, 2013."

And, as amended, do pass. Report adopted.

SB 506, introduced bill, be amended as follows:

1. Title, page 1, line 13 through line 14.

Strike: "ELIMINATING" on line 13 through "DISTRICTS;" on line 14

2. Title, page 1, line 15.

Following: "20-5-201,"

Insert: "AND"

Following: "20-5-202,"

Strike: "20-15-203, AND 20-15-208,"

3. Page 7, line 10.

Following: "issues."

Insert: "These meetings must be limited to discussion. Decisionmaking may occur only at a properly noticed meeting that is held within the boundaries of the school district."

4. Page 8, line 28 through line 29.

Strike: "This subsection does not prohibit a"

Insert: "A"

Strike: "from taking"

Insert: "may take"

5. Page 10, line 2.

Following: "for"

Strike: "an"

Insert: "one"

Following: "additional"

Insert: "period of up to"

6. Page 10, line 3.

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Following: "suspension"

Insert: "and if the decision to continue the suspension does not violate the Individuals With Disabilities Education Act, 20 U.S.C. 1400, et seq"

7. Page 10, line 20 through page 11, line 21.

Strike: sections 9 and 10 in their entirety

ReNUMBER: subsequent section

And, as amended, do pass. Report adopted.

SB 508, do pass. Report adopted.

SJR 16, be adopted. Report adopted.

SJR 25, introduced joint resolution, be amended as follows:

1. Title, page 1, line 8.

Following: "SOLDIERS"

Insert: "; AND REQUESTING THE DEPARTMENT OF MILITARY AFFAIRS TO CONSIDER, AND MAKE RECOMMENDATIONS TO THE LEGISLATURE ABOUT, CREATING AN APPROPRIATE MEDAL HONORING MONTANA SOLDIERS KILLED IN ACTION"

2. Page 1, line 10.

Strike: "conflict"

Insert: "war"

3. Page 1, line 14.

Strike: "gratitude and"

Following: "sympathy"

Insert: "and gratitude"

4. Page 1, line 15.

Strike: "deceased"

5. Page 1, line 19.

Strike: "every member"

Insert: "members"

6. Page 1, line 22.

Following: line 21

Insert: "BE IT FURTHER RESOLVED, that the Department of Military Affairs be requested to consider, and make recommendations to the Legislature about, creating an appropriate medal honoring Montana soldiers killed in action."

And, as amended, be adopted. Report adopted.

NATURAL RESOURCES AND ENERGY (Lind, Chairman):

2/24/2007

SB 223, introduced bill, be amended as follows:

1. Title, line 4.

Following: "PROVIDING THAT"

Insert: "IF AN APPROPRIATOR HAS A POSSESSORY INTEREST IN REAL PROPERTY WHERE A

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COAL BED METHANE INFRASTRUCTURE IS LOCATED AND THE WATER TO BE APPROPRIATED WILL BE BENEFICIALLY USED ON THE APPROPRIATOR'S REAL PROPERTY, LEASED PROPERTY, OR PERMITTED PROPERTY,"

2. Title, line 6.

Following: "METHANE"

Strike: "WELLS"

Insert: "PRODUCTION; PROVIDING A DEADLINE FOR SUBMITTING A NOTICE OF COMPLETION TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; PROVIDING THAT AFTER COAL BED METHANE PRODUCTION HAS CEASED, A PERSON WHO WANTS TO CONTINUE TO USE THE WATER IS REQUIRED TO ACQUIRE AN APPROPRIATION RIGHT"

3. Page 3, line 7 through line 8.

Strike: subsection (8) in its entirety

Insert: "(8) (a) If an appropriator has a possessory interest in real property where a coal bed methane infrastructure is located and the water to be appropriated will be beneficially used on the appropriator's real property, leased property, or permitted property, a permit is not required before appropriating water when it is produced in association with coal bed methane production.

(b) Within 60 days of completion of the delivery facilities and appropriation of the developed water for beneficial use, the appropriator shall file a notice of completion with the department on a form provided by the department through its offices. The department shall accept a notice of completion and may not require additional information if the notice of completion contains:

(i) the point of distribution from the coal bed methane producer's infrastructure;

(ii) the place of use, which must be in Montana;

(iii) the maximum volume, not to exceed 750 acre-feet a year; and

(iv) the period of use.

(c) Within 60 days after the cessation of coal bed methane production, the coal bed methane production company or the landowner shall inform the department that production has ceased. If the landowner wishes to continue the use of the water, the landowner shall file for an appropriation right."

And, as amended, do pass. Report adopted.

SB 473, introduced bill, be amended as follows:

1. Page 4, line 5.

Following: "(1)(b)"

Insert: "on the first 50 million gallons sold in Montana"

2. Page 8, line 10.

Strike: "3"

Insert: "6"

And, as amended, do pass. Report adopted.

SJR 20, be adopted. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Weinberg, Chairman):

2/24/2007

SB 428, introduced bill, be amended as follows:

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1. Title, page 1, line 5.

Strike: "COSTS"

2. Title, page 1, line 6.

Following: "33-35-306,"

Insert: "AND"

Following: "53-4-1005,"

Strike: "AND 53-6-101,"

3. Page 1, line 11.

Following: "of"

Insert: "cancer"

4. Page 1.

Following: line 12

Insert: "(a) "Clinical trial" means a clinical trial of a cancer treatment drug, device, or service."

Renumber: subsequent subsections

5. Page 1, line 23 through line 25.

Strike: subsection (d)(i) in its entirety

Insert: "(e) (i) "Routine patient care" means medical services or items that would be covered under a person's group or individual disability policy, certificate of insurance, or membership contract if the person were not enrolled or participating in a clinical trial. Routine patient care includes administration of a drug or item under evaluation in a clinical trial only if the administration is included in or part of the administration of other drugs or items that would be covered if the person were not enrolled or participating in a clinical trial."

6. Page 1, line 26.

Strike: "the cost of"

7. Page 1, line 27.

Following: "service"

Insert: "that is under evaluation in the clinical trial"

Following: line 27

Insert: "(B) an investigational or experimental drug, device, service, or other item excluded under the terms of the policy, certificate, or contract;

(C) drugs, devices, services, or other items related to complications resulting from the clinical trial;

(D) services that are inconsistent with generally accepted standards of care or practice guidelines;"

Renumber: subsequent subsections

8. Page 1, line 29.

Following: "trial"

Strike: "and that" through "condition"

9. Page 1, line 30.

Following: "(C) a"

Insert: "drug, device, or"

Following: "defined"

Insert: "and included"

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Following: "protocol"

Strike: "and that is outside of conventional care"

10. Page 2, line 5.

Strike: "costs incurred as the result of"

Insert: "provided to a person participating in"

11. Page 2, line 22.

Strike: "may not"

Insert: "is not required to"

Strike: "that supplant a portion of a cancer clinical trial that is"

Insert: "for drugs, devices, services, or other items that are"

12. Page 2, line 23.

Following: "paid for"

Insert: "or provided free of charge to the patient"

13. Page 2, line 24.

Following: "sources"

Insert: "as part of or in connection with a cancer clinical trial. If a provider is paid or reimbursed for any drug, device, service, or other item by both the health insurance issuer and the government agency or other sources, the provider shall reimburse the health insurance issuer"

Following: line 24

Insert: " (5)(a) If a person insured under a group or individual disability policy, certificate of insurance, or membership contract decides to participate in a clinical trial, the person or the person's physician shall notify the health insurance issuer in writing as soon as practicable that the person is participating in a clinical trial.

(b) The notice must specify the nature of the clinical trial and the entity or entities that have approved and are funding the clinical trial and must provide information demonstrating that the clinical trial meets the criteria specified in subsections (2)(a) through (2)(c).

(c) Following receipt of written notice as provided in subsections (5)(a) and (5)(b), the health insurance issuer shall cooperate reasonably with the person or the person's physician to provide information regarding the drugs, devices, services, and other items that will and will not be covered under the person's policy, certificate, or contract and the benefits that will be provided for covered drugs, devices, services, and other items.

(d) For purposes of the cooperation required under subsection (5)(c):

(i) the person or the person's physician shall make available to the health insurance issuer the clinical trial protocol and other information reasonably requested by the health insurance issuer; and

(ii) the person's physician or, at the request of the person's physician, the clinical trial sponsor, director, or other person knowledgeable about the details of the clinical trial shall answer the health insurance issuer's reasonable questions regarding the clinical trial, the person's participation in the clinical trial, and the drugs, devices, services, or other items that are included in or part of the clinical trial.

(e) A health insurance issuer is not required to provide information or to provide the coverage or benefits required under this section to the extent that:

(i) a person or the person's physician fails to provide notice or fails to provide information or access to knowledgeable persons as required in this subsection (5); and

(ii) the notice, information, or access is reasonably required by the health insurance issuer to determine the correct information or to determine the coverage or benefits available to the person under the person's policy, certificate, or contract"

Renumber: subsequent subsections

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14. Page 2.

Following: line 30

Insert: "(8) This section does not preclude the application of deductibles, copayments, coinsurance, or other terms and conditions of a disability insurance policy, certificate, or contract that would apply to routine patient care if the person were not enrolled or participating in a clinical trial."

15. Page 6, line 14.

Strike: "costs of"

Insert: "for individuals enrolled in"

Strike: "pursuant to"

Insert: "as provided in"

16. Page 6, line 18 through page 9, line 14.

Strike: section 6 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 498, do pass. Report adopted.

SB 500, do pass. Report adopted.

SB 518, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "BIRTH" on line 4

Strike: remainder of line 4 through "RESULTS" on line 5

Insert: "RESULTING"

Following: "STILLBIRTH;" on line 5

Insert: "AMENDING SECTION 50-15-101, MCA;"

Strike: "AN"

Insert: "A DELAYED"

2. Page 1, line 9.

Strike: "-- definition"

3. Page 1, line 10.

Following: "birth"

Insert: "resulting in a stillbirth"

4. Page 1, line 11.

Strike: "The certificate must contain the information required under 50-15-221(4). The"

Insert: "Upon request by a parent, a"

Following: "of"

Insert: "birth resulting in a"

Strike: "is"

Insert: "must be filed"

5. Page 1, line 12.

Following: "certificate of"

Insert: "birth resulting in a"

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6. Page 1, line 14.

Strike: subsection (2) in its entirety

Insert: "(2) A certificate of birth resulting in a stillbirth may be filed by:

(a) the physician, the physician's designee, or the direct-entry midwife licensed pursuant to Title 37, chapter 27, in attendance at a stillbirth;

(b) the person in attendance at a stillbirth;

(c) the father or the mother;

(d) in the absence of the father and the inability of the mother, the person in charge of the premises where the stillbirth occurred; or

(e) the local registrar if 50-15-202 applies.

(3) The department shall adopt rules providing for:

(a) the time by which the certificate of birth resulting in a stillbirth must be filed after the stillbirth;

(b) the evidence required to establish the facts of a stillbirth; and

(c) the information required on a certificate of birth resulting in a stillbirth."

7. Page 1, line 15.

Insert: "**Section 2.** Section 50-15-101, MCA, is amended to read:

"50-15-101. Definitions. Unless the context requires otherwise, in parts 1 through 4, the following definitions apply:

(1) "Advanced practice registered nurse" means an individual who has been certified as an advanced practice registered nurse as provided in 37-8-202.

(2) "Authorized representative" means a person:

(a) designated by an individual, in a notarized written document, to have access to the individual's vital records;

(b) who has a general power of attorney for an individual; or

(c) appointed by a court to manage the personal or financial affairs of an individual.

(3) "Dead body" means a human body or parts of a human body from which it reasonably may be concluded that death occurred.

(4) "Department" means the department of public health and human services provided for in 2-15-2201.

(5) "Dissolution of marriage" means a marriage terminated pursuant to Title 40, chapter 4, part 1.

(6) "Fetal death" means death of the fetus prior to the complete expulsion or extraction from its mother as a product of conception, notwithstanding the duration of pregnancy. The death is indicated by the fact that after expulsion or extraction, the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Heartbeats are distinguished from transient cardiac contractions. Respirations are distinguished from fleeting respiratory efforts or gasps.

(7) "Final disposition" means the burial, interment, cremation, removal from the state, or other authorized disposition of a dead body or fetus.

(8) "Invalid marriage" means a marriage decreed by a district court to be invalid for the reasons contained in 40-1-402.

(9) "Live birth" means the complete expulsion or extraction from the mother as a product of conception, notwithstanding the duration of pregnancy. The birth is indicated by the fact that after expulsion or extraction, the child breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Heartbeats are distinguished from transient cardiac contractions. Respirations are distinguished from fleeting respiratory efforts or gasps.

(10) "Local registrar" means a person appointed by the department to act as its agent in administering this chapter in the area set forth in the letter of appointment.

(11) "Person in charge of disposition of a dead body" means a person who places or causes a dead body or the ashes after cremation to be placed in a grave, vault, urn, or other receptacle or otherwise disposes of the body or fetus and who is a funeral director licensed under Title 37, chapter 19, an employee acting for a funeral director, or a person who first assumes custody of a dead body or fetus.

(12) "Physician" means a person legally authorized to practice medicine in this state.

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(13) "Registration" means the process by which vital records are completed, filed, and incorporated into the official records of the department.

(14) "Research" means a systematic investigation designed primarily to develop or contribute to generalizable knowledge.

(15) "Stillbirth" means a fetal death occurring after a minimum of 20 weeks of gestation.

~~(15)~~(16) "System of vital statistics" means the registration, collection, preservation, amendment, and certification of vital records. The term includes the collection of reports required by this chapter and related activities, including the tabulation, analysis, publication, and dissemination of vital statistics.

~~(16)~~(17) "Vital records" means certificates or reports of birth, death, fetal death, marriage, and dissolution of marriage and related reports.

~~(17)~~(18) "Vital statistics" means the data derived from certificates or reports of birth, death, fetal death, induced termination of pregnancy, marriage, and dissolution of marriage and related reports."

Renumber: subsequent sections

8. Page 1, line 19.

Strike: "July 1, 2007"

Insert: "January 1, 2008"

And, as amended, do pass. Report adopted.

SB 522, introduced bill, be amended as follows:

1. Page 8, line 19.

Strike: "300"

Insert: "400"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Squires, Chairman):

2/24/2007

SB 219, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

Following: "EXCEPT" on line 6

Strike: "ACCUMULATED" through "TIME" on line 7

Insert: "AS AUTHORIZED BY LAW"

2. Page 1, line 17.

Following: "receive"

Insert: ": (i)"

3. Page 1, line 19.

Following: "employer"

Insert: "; and

(ii) if the termination is the result of a reduction in force, severance pay and a retraining allowance as provided for in 2-18-622"

4. Page 1, line 21.

Following: "(2)(a)"

Insert: "(i) or (2)(a)(ii)"

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5. Page 1, line 22.

Following: "to"

Insert: ": (a)"

Following: "benefits"

Insert: ";

- (b) a payment, settlement, award, or judgment that involves a potential or actual cause of action, legal dispute, claim, grievance, contested case, or lawsuit; or
- (c) any other payment authorized by law"

And, as amended, do pass. Report adopted.

SB 497, introduced bill, be amended as follows:

1. Page 2, line 1.

Strike: "~~ceiling murals~~"

Insert: "mural"

2. Page 2, line 14.

Strike: "ceiling murals"

Insert: "a mural"

3. Page 2, line 19.

Strike: "murals"

Insert: "mural"

4. Page 2, line 21.

Strike: "murals"

Insert: "mural"

5. Page 2, line 22 through line 23.

Following: "renewal" on line 22

Strike: ", " through "capitol" on line 23

6. Page 1, line 23.

Following: ". "

Insert: "The location of the mural must be determined by the commission in consultation with the capitol complex advisory council."

7. Page 3, line 14.

Strike: "~~ceiling murals~~"

Insert: "mural"

8. Page 4, line 14.

Strike: "The"

Insert: "Except as provided in [section 1(4)], the"

And, as amended, do pass. Report adopted.

SB 517, do pass. Report adopted.

SB 532, do pass. Report adopted.

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SB 538, do pass. Report adopted.
SJR 21, be adopted. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 590 , introduced by Everett	
House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 609 , introduced by Hamilton	
House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 641 , introduced by Musgrove	
House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 657 , introduced by Ebinger	
House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 664 , introduced by Keane	
House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 681 , introduced by Driscoll	
House bill passed and transmitted to the Senate for concurrence:	2/23/2007
HB 724 , introduced by Furey	
House joint resolution passed and transmitted to the Senate for concurrence:	2/23/2007
HJR 25 , introduced by Rice	

MOTIONS

SEN. STEVE GALLUS, SD 37, BUTTE moved **SB 310** be reconsidered on the 44th Legislative day. Motion carried as follows:

Yeas: Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 25

Nays: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gebhardt, Jackson,

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Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 24

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SEN. JOHN COBB, SD 9, AUGUSTA moved **SB 371** be reconsidered on the 44th Legislative day. Motion **failed** as follows:

Yeas: Cobb, Cocchiarella, Elliott, Gallus, Gillan, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laslovich, Lind, Moss, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 23

Nays: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hansen, Jackson, Laible, Larson, Lewis, McGee, Murphy, O'Neil, Pease, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 26

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

SB 293 - Senator Laible moved **SB 293** do pass. Motion carried unanimously.

SB 382 - Senator Laslovich moved **SB 382** do pass. Motion carried with Senator Gebhardt, O'Neil voting nay.

SB 491 - Senator Moss moved **SB 491** do pass. Motion carried as follows:

Yeas: Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 26

Nays: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 23

Absent or not voting: None.
Total 0

Excused: Jent.

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Total 1

SJR 15 - Senator Gillan moved **SJR 15** be adopted. Motion carried with Senators O'Neil, Balyeat voting nay.

SB 417 - Senator Brown moved **SB 417** do pass. Motion carried as follows:

Yeas: Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Moss, Murphy, Pease, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 34

Nays: Bales, Balyeat, Barkus, Elliott, Esp, Essmann, Gebhardt, Laible, Lind, McGee, O'Neil, Perry, Stapleton, Story, Tash.

Total 15

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 312 - Senator Lind moved **SB 312** do pass. Motion carried unanimously.

SB 354 - Senator Lind moved **SB 354** do pass. Motion carried with Senator Esp, O'Neil, Balyeat, Jackson voting nay.

SB 286 - Senator Lewis moved **SB 286**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

Following: "OF"

Insert: "CERTAIN"

2. Title, line 5 through line 7.

Strike: "BY" on line 5 through "YEARS" on line 7

3. Page 1, line 20.

Strike: "for" through "and"

4. Page 1, line 21.

Strike: "subsection"

Insert: "subsections"

Following: "(2)(b)"

Insert: "and (2)(c)"

5. Page 1.

Following: line 26

Insert: "(c) A public building within the capitol complex constructed with private funds after [the effective date of this act] or a space or room constructed with private funds after [the effective date of this act] in a public building, other than the capitol building, may bear a name designated by the benefactor of the

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building, space, or room if:

(i) the building, space, or room is to be owned by or used exclusively or primarily by the Montana historical society to store or display artifacts or other property owned by the Montana historical society; and

(ii) the building, space, or room and the designated name are approved by the council and by the board of the historical society, provided for in 2-15-1512."

Amendment adopted unanimously.

SB 286 - Senator Cooney moved **SB 286**, as amended, do pass. Motion carried with Senator Weinberg voting nay.

SB 145 - Senator Laslovich moved consideration of **SB 145** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 235 - Senator Gallus moved **SB 235** do pass. Motion carried with Senator Barkus, Esp voting nay.

SB 186 - Senator Lewis moved **SB 186** do pass. Motion carried with Senator Esp, Murphy, Jackson voting nay.

SB 349 - Senator Ryan moved **SB 349** do pass. Motion carried with Senator McGee, Jackson, Essmann voting nay.

SB 391 - Senator Weinberg moved **SB 391** do pass. Motion carried as follows:

Yeas: Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Larson, Laslovich, Lind, Moss, Pease, Ryan, Schmidt, Shockley, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 25

Nays: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gebhardt, Jackson, Kitzenberg, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Stapleton, Steinbeisser, Story, Tash.

Total 24

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 433 - Senator Laslovich moved **SB 433** do pass. Motion carried unanimously.

SB 447 - Senator Perry moved **SB 447** do pass. Motion carried unanimously.

SB 492 - Senator Gebhardt moved **SB 492** do pass. Motion carried unanimously.

SB 502 - Senator Cooney moved **SB 502** do pass. Motion carried unanimously.

SB 505 - Senator Squires moved **SB 505** do pass. Motion carried unanimously.

SB 507 - Senator Story moved **SB 507** do pass. Motion carried unanimously.

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SB 521 - Senator Esp moved **SB 521** do pass. Motion carried unanimously.

SB 525 - Senator Elliott moved **SB 525** do pass. Motion carried unanimously.

Senator Williams moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Lind moved the Committee of the Whole report be adopted. Report adopted unanimously.

Senator Williams moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Lind in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 24 - Senator Laslovich moved **SJR 24** be adopted. Motion carried with Senator Esp voting nay.

SB 288 - Senator Barkus moved **SB 288**, second reading copy, be amended as follows:

1. Page 6, line 28 through line 29.

Strike: "SECONDARY CARE" on line 28 through "DEPENDENCY," on line 29

Amendment adopted unanimously.

SB 288 - Senator Schmidt moved **SB 288**, as amended, do pass. Motion carried as follows:

Yeas: Bales, Barkus, Black, Cobb, Cocchiarella, Esp, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 34

Nays: Balyeat, Brown, Brueggeman, Curtiss, Elliott, Essmann, Gebhardt, Jackson, Lewis, McGee, O'Neil, Shockley, Stapleton, Steinbeisser, Story.

Total 15

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 385 - Senator Cobb moved **SB 385** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 46

Nays: Gebhardt, O'Neil, Shockley.

Total 3

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Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 294 - Senator Harrington moved **SB 294** do pass. Motion carried unanimously.

SB 265 - Senator Kitzenberg moved **SB 265** do pass. Motion carried as follows:

Yeas: Brueggeman, Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 30

Nays: Bales, Balyeat, Barkus, Black, Brown, Curtiss, Esp, Essmann, Gebhardt, Laible, McGee, O'Neil, Perry, Peterson, Shockley, Steinbeisser, Story, Tash.
Total 18

Absent or not voting: None.
Total 0

Excused: Jent, Stapleton.
Total 2

SJR 18 - Senator Pease moved **SJR 18** be adopted. Motion carried as follows:

Yeas: Balyeat, Black, Brown, Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, O'Neil, Pease, Perry, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 38

Nays: Bales, Barkus, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Jackson, McGee, Peterson.
Total 10

Absent or not voting: None.
Total 0

Excused: Jent, Stapleton.
Total 2

SB 410 - Senator Ryan moved consideration of **SB 410** be passed for the day. Motion carried.

SB 129 - Senator Schmidt moved **SB 129** do pass. Motion carried as follows:

Black, Cobb, Cocchiarella, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Pease, Ryan, Schmidt, Smith, J.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 25

Nays: Balyeat, Barkus, Brown, Brueggeman, Curtiss, Elliott, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis,

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McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Squires, Stapleton, Steinbeisser, Story, Tash, M.Tropila.
Total 24

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 192 - Senator Essmann moved **SB 192** do pass. Motion carried unanimously.

SB 488 - Senator Ryan moved **SB 488** do pass. Motion carried as follows:

Yeas: Bales, Black, Brueggeman, Cobb, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Squires, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 38

Nays: Balyeat, Barkus, Brown, Curtiss, Jackson, McGee, O'Neil, Shockley, Smith, Stapleton, Steinbeisser.
Total 11

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 279 - Senator Balyeat moved **SB 279** do pass. Motion carried unanimously.

SB 145 - Senator Shockley moved **SB 145** do pass. Motion carried with Senator McGee, Smith voting nay.

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Lind moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 96 passed as follows:

Yeas: Bales, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 42

Nays: Balyeat, Barkus, Esp, Gebhardt, McGee, O'Neil, Shockley, Tash.

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Total 8

Paired: Jent, Aye; McGee, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 253 passed as follows:

Yeas: Bales, Balyeat, Black, Brown, Brueggeman, Cocchiarella, Curtiss, Elliott, Esp, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 44

Nays: Barkus, Cobb, Essmann, Gebhardt, Tash.

Total 5

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 91 passed as follows:

Yeas: Balyeat, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Pease, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 37

Nays: Bales, Barkus, Black, Brown, Gebhardt, McGee, Murphy, O'Neil, Perry, Peterson, Steinbeisser, Story, Tash.

Total 13

Paired: Jent, Aye; McGee, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 172 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson,

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Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 479 passed as follows:

Yeas: Balyeat, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 45

Nays: Bales, Barkus, Esp, O'Neil.

Total 4

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 524 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 46

Nays: Esp, McGee, Stapleton.

Total 3

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 376 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann,

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Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 523 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 431 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

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SB 289 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 478 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 48

Nays: McGee.

Total 1

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SJR 23 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 47

Nays: Esp, Shockley.

Total 2

Absent or not voting: None.

Total 0

Excused: Jent.

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Total 1

SJR 22 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 47

Nays: Esp, Essmann.

Total 2

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 306 passed as follows:

Yeas: Brown, Brueggeman, Cocchiarella, Elliott, Gallus, Gillan, Harrington, Hawks, Juneau, Kaufmann, Larson, Lind, Moss, Pease, Perry, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 27

Nays: Bales, Balyeat, Barkus, Black, Cobb, Curtiss, Esp, Essmann, Gebhardt, Hansen, Jackson, Kitzenberg, Laible, Laslovich, Lewis, McGee, Murphy, O'Neil, Peterson, Stapleton, Story, Tash.

Total 22

Absent or not voting: None.

Total 0

Excused: Jent.

Total 1

SB 465 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Weinberg, Williams, Mr. President.

Total 48

Nays: Wanzenried.

Total 1

Absent or not voting: None.

Total 0

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Excused: Jent.
Total 1

SB 485 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SJR 12 adopted as follows:

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 44

Nays: Balyeat, Curtiss, Esp, Laible, McGee.
Total 5

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 64 passed as follows:

Yeas: Bales, Black, Brueggeman, Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Pease, Perry, Ryan, Schmidt, Smith, Squires, Stapleton, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 35

Nays: Balyeat, Barkus, Brown, Curtiss, Esp, Essmann, Gebhardt, Jackson, McGee, Murphy, O'Neil, Peterson, Shockley, Steinbeisser, Story.
Total 15

Paired: Jent, Aye; McGee, No.

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Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 11 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 46

Nays: Esp, Gebhardt, Ryan.
Total 3

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 463 passed as follows:

Yeas: Bales, Black, Brueggeman, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Pease, Ryan, Schmidt, Smith, Squires, Steinbeisser, Story, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 31

Nays: Balyeat, Barkus, Brown, Cobb, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Tash.
Total 18

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 383 passed as follows:

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 45

Nays: Balyeat, Curtiss, Jackson, Shockley.
Total 4

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Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 536 failed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, Laslovich, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 25

Nays: Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Lind, Moss, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 25

Paired: Brueggeman, Aye; Jent, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 461 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 48

Nays: Smith.
Total 1

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SJR 7 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

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Total 48

Nays: Esp.
Total 1

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 359 passed as follows:

Yeas: Bales, Barkus, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 42

Nays: Balyeat, Black, Esp, Gillan, Lewis, McGee, O'Neil.
Total 7

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

SB 459 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Jent.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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Majority Leader Williams moved that the Senate adjourn until 9:00 a.m., Monday, February 26, 2007. Motion carried.

Senate adjourned at 2:46 p.m.

JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate