

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

Helena, Montana
February 26, 2007

Senate Chambers
State Capitol

Senate convened at 9:00 a.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. Senators Gillian and Barkus excused. Quorum present.

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

Total 38

Nays: Balyeat, Elliott, Esp, Essmann, Gebhardt, Jackson, Lind, McGee, O'Neil, Shockley.

Total 10

Absent or not voting: None.

Total 0

Excused: Barkus, Gillan.

Total 2

REPORTS OF STANDING COMMITTEES

TAXATION (Elliott, Chairman):

2/22/2007

SB 220, introduced bill, be amended as follows:

1. Page 2, line 19.

Strike: "director of revenue"

Insert: "department"

2. Page 2, line 28 through page 3, line 3.

Strike: ", and" on page 2, line 28 through "benefit" on page 3, line 3.

3. Page 3, line 12.

Following: "31."

Insert: "As used in this subsection, "significant purpose" has the same meaning given the term under federal tax law."

4. Page 5, line 2.

Strike: "director of revenue"

Insert: "department"

5. Page 6, line 28.

Strike: "director of revenue"

Insert: "department"

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6. Page 7, line 30.

Strike: "director of revenue"

Insert: "department"

7. Page 9, line 13.

Strike: "director of revenue"

Insert: "department"

8. Page 10, line 19.

Strike: "director of revenue"

Insert: "department"

9. Page 10, line 25.

Strike: "director of revenue"

Insert: "department"

10. Page 11, line 2.

Strike: "director of revenue"

Insert: "department"

Strike: "An"

Insert: "If the person is an individual who resides in Montana, an action under this section must be brought in the county in which the individual resides. If the person is not an individual who resides in Montana, an"

11. Page 11, line 13 through line 16.

Strike: "Power of director of revenue" on line 13

Insert: "Potential for evasion of tax -- tax evasion transactions"

Strike: "In" on line 13 through "shall" on line 16

Insert: "The department may not specifically identify a transaction or arrangement as a tax evasion transaction unless the department"

12. Page 11, line 17.

Strike: "consult"

Insert: "consults"

13. Page 11, line 18.

Strike: "consider"

Insert: "considers"

Following: "arrangement"

Insert: "involves some combination of the following"

14. Page 11, line 20.

Following: "in"

Insert: "purposely"

15. Page 11, line 21.

Following: "investments;"

Strike: "or"

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16. Page 11, line 22.

Following: "parties;"

Insert: "or

(v) was marketed to multiple investors;"

17. Page 11, line 23.

Strike: "consider"

Insert: "considers"

18. Page 11, line 25.

Strike: "consider"

Insert: "considers"

19. Page 11, line 28.

Strike: "determine"

Insert: "determines"

Strike: "consider"

Insert: "considers"

20. Page 11, line 29 through line 30.

Strike: "reportable" on line 29 through "each" on line 30

21. Page 12, line 1.

Strike: "director of revenue"

Insert: "department"

22. Page 12.

Following: line 2

Insert: "(3) The department shall file a report with each rule proposal notice when it proposes to adopt a rule to identify a listed transaction, setting forth how it applied the criteria listed in subsection (1) in proposing to identify a transaction or arrangement as a listed transaction."

Renumber: subsequent subsection

23. Page 12, line 6.

Strike: "14"

Insert: "13"

24. Page 12, line 9.

Strike: "14"

Insert: "13"

25. Page 13, line 1.

Following: page 12

Strike: "A"

Insert: "(1) Subject to subsection (2), a"

26. Page 13.

Following: line 5

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Insert: "(2) A taxpayer is subject to the provisions of [section 10, 11, 12, or 13] for any tax year:
(a) for which the taxpayer or a combined reporting group of which the taxpayer is a member:
(i) is required to file internal revenue service schedule M-3 with its federal tax return; and
(ii) is subject to allocation and apportionment under 15-31-301; and
(b) in which the Montana apportionment percentage, as shown on the taxpayer's Montana tax return, is less than 20%."

27. Page 14, line 18.

Strike: "director of revenue"

Insert: "department"

28. Page 15, line 11.

Strike: "director of revenue"

Insert: "department"

29. Page 15, line 13.

Strike: "14"

Insert: "13"

30. Page 15, line 15 through line 22.

Strike: section 14 in its entirety

Renumber: subsequent sections

31. Page 15, line 24.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

32. Page 15, line 27.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

33. Page 16, line 6.

Strike: "17(6)"

Insert: "16(6)"

34. Page 16, line 9.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

35. Page 16, line 17.

Strike: "15"

Insert: "14"

Strike: "17"

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Insert: "16"

36. Page 16, line 30.

Strike: "14"

Insert: "13"

37. Page 17, line 9.

Strike: "14"

Insert: "13"

38. Page 17, line 16.

Strike: "[section 16] or"

39. Page 18, line 10.

Strike: "16"

Insert: "15"

40. Page 18, line 19.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

41. Page 18, line 22.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

42. Page 18, line 24.

Strike: "18"

Insert: "17"

Strike: "23"

Insert: "22"

43. Page 18, line 27.

Strike: "18"

Insert: "17"

Strike: "23"

Insert: "22"

44. Page 19, line 13.

Strike: "21"

Insert: "20"

45. Page 19, line 20.

Strike: "20"

Insert: "19"

46. Page 20, line 13.

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Strike: "20"
Insert: "19"

47. Page 20, line 14.
Strike: "21"
Insert: "20"

48. Page 20, line 22.
Strike: "20"
Insert: "19"

49. Page 20, line 29.
Strike: "18"
Insert: "17"
Strike: "23"
Insert: "22"

50. Page 22, line 17.
Strike: "Except as provided in subsection (5)(b), the"
Insert: "The"

51. Page 22, line 18.
Strike: ", directly or indirectly,"

52. Page 22, line 20 through line 23.
Following: "(b)"

Strike: the remainder of subsection (b) in its entirety

Insert: "(i) The department shall, by rule, establish reporting requirements that would not allow multiple business identities to be formed to obtain multiple exemption thresholds for what are functionally single businesses. The rules may require individual and taxpayer identification numbers for pass-through entities, as defined in 15-30-101, and their owners, partners, and officers to allow the department to track exemptions through the entities.

(ii) Whenever one member of a firm or one of the proper officers of a corporation has made a statement showing the property of the firm or corporation, another member of the firm or another officer is not required to include the property in that person's statement but the statement must show the name of the person or officer who made the statement in which the property is included.

(iii) The fact that a statement is not required or that a person has not made a statement, under oath or otherwise, does not relieve the person's property from taxation."

53. Page 22, line 25.
Strike: "14"
Insert: "13"

54. Page 22, line 26.
Strike: "14"
Insert: "13"

55. Page 22, line 27.
Strike: "18"
Insert: "17"

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Strike: "23"
Insert: "22"

56. Page 22, line 28.

Strike: "18"
Insert: "17"
Strike: "23"
Insert: "22"

57. Page 23, line 20.

Strike: "18"
Insert: "17"
Strike: "23"
Insert: "22"

And, as amended, do pass. Report adopted.

SB 487, do pass. Report adopted.

SB 514, introduced bill, be amended as follows:

1. Page 2, line 3.

Following: "(a)"
Insert: "(i)"
Strike: "subsection"
Insert: "subsections (2)(a)(ii) and"

2. Page 2, line 4.

Strike: "1.2%"
Insert: "0.5%"

3. Page 2, line 4 through line 6.

Strike: "The" on line 4 through "return." on line 6

4. Page 2.

Following: line 6

Insert: "(i) A penalty under this subsection (2)(a) may not be imposed on a taxpayer subject to taxation under 15-30-103 if, subject to the conditions of 15-30-241(1)(a)(i), the taxpayer pays tax when due of at least 90% of the tax for the current year."

5. Page 2, line 8.

Strike: "or fraction of a month"

6. Page 2, line 8 through line 10.

Strike: "The" on line 8 through "return." on line 10

7. Page 2, line 25.

Following: "12%"
Insert: "a year"

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8. Page 2.

Following: line 12

Insert: "(c) The penalty imposed under subsection (2)(a) or (2)(b) accrues daily on the unpaid tax from the original due date of the return regardless of whether the taxpayer has received an extension of time for filing a return."

9. Page 11, line 23.

Following: "date."

Insert: "(1)"

Strike: "[This act]"

Insert: "Except as provided in subsection (2), [this act]"

10. Page 11.

Following: line 23

Insert: "(2) [Sections 1(2) and 3 and this section] are effective on passage and approval."

11. Page 11, line 25.

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

12. Page 11.

Following: line 28

Insert: "(3) [Sections 1(2) and 3] apply retroactively, within the meaning of 1-2-109, to tax periods beginning after December 31, 2006."

And, as amended, do pass. Report adopted.

SB 539, introduced bill, be amended as follows:

1. Page 2, line 13.

Following: "was"

Insert: ":

(a)"

Following: "15-23-101"

Insert: ";

Following: "or"

Insert: "(b)"

2. Page 2, line 14.

Following: "15-8-404(4)"

Insert: "and subject to direct appeal to the state tax appeal board pursuant to [section 4(1)]"

3. Page 2, line 24.

Following: "section."

Insert: "A county may not elect to participate in the program unless the protested property taxes on specially assessed industrial property are directly appealed to the state tax appeal board. The direct appeal must be

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agreed to by the county tax appeal board, in consultation with the board of county commissioners, or by the taxpayer and the department."

4. Page 2, line 25.

Following: "January 31"

Insert: "for taxes on centrally assessed property and on or before August 31 for taxes on specially assessed industrial property that is subject to direct appeal to the state tax appeal board pursuant to subsection (1)"

5. Page 21, line 19 through line 20.

Strike: "under direct or indirect common control," on lines 19 and 20

Strike: "\$10" on line 20

Insert: "\$5"

Following: "as"

Insert: "potential"

6. Page 21, line 21.

Following: "of"

Insert: "potential"

Following: "where"

Insert: ", "

7. Page 21, line 22.

Strike: "or"

Following: "whom"

Insert: ", or by what methods"

Following: "assessed."

Insert: "If a direct appeal to the state tax appeal board is agreed to by the county tax appeal board, in consultation with the board of county commissioners, or by the taxpayer and the department, the potential specially assessed industrial property becomes specially assessed industrial property."

8. Page 22.

Following: line 27

Insert: "(4) A direct appeal to the state tax appeal board of specially assessed industrial property may be permitted by the county tax appeal board in consultation with the board of county commissioners or may be agreed to by the taxpayer and the department."

And, as amended, do pass. Report adopted.

MOTIONS

SEN. CAROL WILLIAMS, SD 46, MISSOULA moved to recess for Democrat caucus. **SEN. COREY STAPLETON, SD 27, BILLINGS** moved to recess for Republican caucus. Motions carried.

The Senate reconvened at 9:30 a.m.

Roll Call. Senator Barkus excused. Quorum present.

Yeas: Bales, Black, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease,

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Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 41

Nays: Balyeat, Brown, Essmann, Gebhardt, Jackson, McGee, O'Neil, Shockley.

Total 8

Absent or not voting: None.

Total 0

Excused: Barkus.

Total 1

MOTIONS

SEN. JIM SHOCKLEY, SD 45, VICTOR moved **SB 389** be placed on second reading on the 44th Legislative day. Motion **failed** as follows.

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

Total 25

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

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SEN. GREGORY BARKUS, SD 4, KALISPELL moved to change his vote on **SB 265** from "yes" to "no". Motion carried.

MESSAGES FROM THE GOVERNOR

HB 23 introduced by Representative Hiner and **HB 470** introduced by Representative Olson were signed and delivered to the Secretary of State on the 22nd day of February.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 97, introduced by Barrett

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

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HB 113, introduced by McChesney

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 205, introduced by Everett

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 259, introduced by Reinhart

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 372, introduced by Ingraham

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 423, introduced by K. Peterson

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 564, introduced by McGillvray

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 570, introduced by Cohenour

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 712, introduced by Jore

House bill passed and transmitted to the Senate for concurrence: 2/26/2007

HB 741, introduced by L. Jones

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

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

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

SB 426 - Senator Jent moved **SB 426** do pass. Motion carried with Senator Cocchiarella voting nay.

SB 509 - Senator Gallus moved **SB 509** do pass. Motion carried as follows:

Yeas: Bales, Black, Brown, Brueggeman, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laslovich, Moss, Murphy, Pease, Schmidt, Shockley, Smith, Squires, Tash, J.Tropila, M.Tropila, Williams, Mr. President.

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Total 30

Nays: Balyeat, Cobb, Curtiss, Gebhardt, Jent, Laible, Larson, Lewis, Lind, McGee, O'Neil, Perry, Peterson, Ryan, Stapleton, Steinbeisser, Story, Wanzenried, Weinberg.

Total 19

Absent or not voting: None.

Total 0

Excused: Barkus.

Total 1

SB 202 - Senator Laslovich moved **SB 202** do pass. Motion carried as follows:

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

Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 439 - Senator Elliott moved **SB 439** do pass. Motion carried as follows:

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

Total 41

Nays: Bales, Balyeat, Curtiss, Gebhardt, Jackson, McGee, O'Neil, Shockley, Steinbeisser.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 448 - Senator Wanzenried moved **SB 448** do pass. Motion carried as follows:

Yeas: Brueggeman, Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Schmidt, Smith, Squires, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

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Total 29

Nays: Bales, Balyeat, Barkus, Black, Brown, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, McGee, Murphy, O'Neil, Perry, Peterson, Ryan, Shockley, Stapleton, Steinbeisser.

Total 20

Absent or not voting: Pease.

Total 1

Excused: None.

Total 0

SB 481 - Senator Wanzenried moved **SB 481** do pass. Motion carried as follows:

Yeas: Black, Brueggeman, Cobb, Cocchiarella, Gallus, Gebhardt, Gillan, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Ryan, Schmidt, Smith, Squires, Steinbeisser, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 31

Nays: Bales, Balyeat, Barkus, Brown, Curtiss, Elliott, Esp, Essmann, Hansen, Jackson, Laible, McGee, O'Neil, Perry, Peterson, Shockley, Stapleton, Story, Tash.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 38 - Senator Ryan moved consideration of **SB 38** be placed below **SB 547** on the second reading board. Motion carried.

SB 337 - Senator Wanzenried moved **SB 337** do pass. Motion carried as follows:

Yeas: Cobb, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, 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, Cocchiarella, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 413 - Senator Moss moved **SB 413** do pass. Motion carried unanimously.

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SB 404 - Senator Lind moved **SB 404**, second reading copy, be amended as follows:

1. Title, line 4.

Following: "CLARIFYING"

Strike: "LIMITS ON"

2. Page 2, line 6.

Following: "NOT"

Insert: "criminally"

Following: "LIABLE"

Strike: "FOR ANY CIVIL DAMAGES"

3. Page 2, line 7 through line 8.

Following: "THAN" on line 7

Strike: remainder of line 7 through "OMISSIONS" on line 8

Insert: "acts or omissions committed with demonstrable criminal intent"

4. Page 2, line 17.

Strike: "TITLE 27, CHAPTER 1, PART 7," in two places

Insert: "Title 45, chapter 2, part 2," in two places

5. Page 2, line 22 through line 24.

Strike: section 4 in its entirety

Amendment adopted unanimously.

SB 404 - Senator Lind moved **SB 404** do pass, as amended. Motion carried unanimously.

SB 467 - Senator Cocchiarella moved **SB 467** do pass. Motion carried unanimously.

SB 451 - Senator Harrington moved **SB 451** do pass. Motion carried as follows:

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

Total 28

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

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 449 - Senator Gillan moved **SB 449** do pass. Motion carried with Senator McGee voting nay.

SB 516 - Senator Cocchiarella moved **SB 516**, second reading copy, be amended as follows:

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1. Title, line 5.

Following: "RAILROAD"

Insert: "OR CERTAIN LOGGING ACTIVITIES"

2. Page 1, line 27.

Following: "railroad"

Insert: "or used by off-road logging equipment and machinery"

Amendment adopted as follows:

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

Total 44

Nays: Black, Hansen, Harrington, Lewis, Smith, Steinbeisser.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 516 - Senator Black moved **SB 516**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "RAILROAD"

Insert: "OR CERTAIN MINING OPERATIONS"

2. Page 1, line 27.

Following: "railroad"

Insert: "or off-road machinery and equipment used in mining operations"

Amendment adopted with Senator Hansen, Lind voting nay.

SB 516 - Senator Black moved **SB 516**, as amended, do pass. Motion **failed** as follows:

Yeas: Black, Brueggeman, Gallus, Harrington, Hawks, Jent, Kaufmann, Kitzenberg, Lewis, Lind, Murphy, Pease, Perry, Ryan, Schmidt, Smith, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Weinberg, Mr. President.

Total 23

Nays: Bales, Balyeat, Barkus, Brown, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, Hansen, Jackson, Juneau, Laible, Larson, Laslovich, McGee, Moss, O'Neil, Peterson, Shockley, Squires, Story, Wanzenried, Williams.

Total 27

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 516 - Senator Gebhardt moved **SB 516** be indefinitely postponed. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Brown, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, Hansen, Jackson, Jent, Juneau, Kaufmann, Laible, Larson, Lind, McGee, Moss, O'Neil, Perry, Peterson, Ryan, Schmidt, Shockley, Squires, Story, Wanzenried, Williams.

Total 32

Nays: Black, Brueggeman, Gallus, Harrington, Hawks, Kitzenberg, Laslovich, Lewis, Murphy, Pease, Smith, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Weinberg, Mr. President.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 432 - Senator Brueggeman moved **SB 432**, second reading copy, be amended as follows:

1. Page 3, line 2.

Strike: "diesel fuel containing"

Amendment adopted unanimously.

SB 432 - Senator Brueggeman moved **SB 432**, second reading copy, be amended as follows:

1. Page 3, line 12.

Following: "RAILROADS"

Insert: "or mining equipment and machinery"

Amendment carried unanimously.

SB 432 - Senator Brueggeman moved **SB 432**, second reading copy, do pass as amended. Motion **carried** as follows:

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

Total 35

Nays: Bales, Balyeat, Barkus, Brown, Curtiss, Elliott, Esp, Essmann, Gebhardt, Jackson, O'Neil, Perry, Peterson, Shockley, Story.

Total 15

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

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 Cocchiarella moved the Committee of the Whole report be adopted. Report adopted unanimously.

SB 547 - Senator Perry moved **SB 547** do pass. Motion carried with Senator Kaufmann voting nay.

SB 38 - Senator Ryan moved **SB 38** do pass. Motion **failed** as follows:

Yeas: Cocchiarella, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, 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, Elliott, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 437 - Senator Elliott moved **SB 437**, second reading copy, be amended as follows:

1. Title, line 4.

Following: "ELECTION"

Insert: "OR APPOINTMENT"

2. Page 1, line 11.

Following: "election"

Insert: "or appointment"

3. Page 1, line 12.

Following: "election"

Insert: "or appointment"

Amendment adopted with Senator O'Neil voting nay.

SB 437 - Senator Elliott moved **SB 437**, as amended, do pass. Motion carried as follows:

Yeas: Brueggeman, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Pease, Schmidt, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 26

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

Absent or not voting: None.
Total 0

Excused: Cobb.
Total 1

SB 503 - Senator Perry moved **SB 503** do pass. Motion carried unanimously.

SB 504 - Senator Kaufmann moved **SB 504** do pass. Motion carried unanimously.

SB 490 - Senator Moss moved consideration of **SB 490** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 531 - Senator Weinberg moved **SB 531** do pass. Motion carried unanimously.

SB 535 - Senator Cocchiarella moved **SB 535**, second reading copy, be amended as follows:

1. Title, line 6 through line 7.

Following: "INSURERS" on line 6

Strike: "AND"

Insert: ", "

Following: "PRODUCERS" on line 7

Insert: ", AND INDEPENDENT AGENCIES"

2. Page 1, line 14.

Strike: "tile"

Insert: "title"

3. Page 2, line 10.

Following: "contracts"

Insert: "; or

(3) variable annuities regulated under Title 30, chapter 10"

4. Page 2, line 14.

Following: "fixed annuity"

Strike: "or variable annuity"

5. Page 2, line 23.

Following: "insurers"

Strike: "and"

Insert: ", "

Following: "producers"

Insert: ", and independent agencies"

6. Page 4, line 19 through line 22.

Strike: subsection (9) in its entirety

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Insert: "(9) (a) Insurers, insurance producers, and independent agencies shall maintain or must be able to make available to the commissioner records of the information collected from the consumer and other information used in making the recommendations that were the basis for insurance transactions for 5 years after the insurance transaction is completed by the insurer. An insurer is permitted, but is not required, to maintain documentation on behalf of an insurance producer.

(b) Records required to be maintained by this regulation may be maintained in paper, photographic, microprocess, magnetic, mechanical, or electronic media or by any process that accurately reproduces the actual document."

7. Page 4, line 30.

Following: "chapter 18."

Insert: "Fines may be imposed pursuant to 33-1-317."

Amendment adopted unanimously.

SB 535 - Senator Cocchiarella moved **SB 535**, as amended, do pass. Motion carried unanimously.

SB 541 - Senator Brueggeman moved **SB 541** do pass. Motion carried on voice vote; Senators Balyeat, Story voting nay.

SB 38 - Senator Ryan moved **SB 38** do pass. Motion failed as follows:

Yeas: Cocchiarella, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, 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, Elliott, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 38 - Senator [unknown] moved **SB 38** be indefinitely postponed. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Elliott, Esp, Essmann, Gebhardt, Jackson, Kitzenberg, Laible, Lewis, McGee, Murphy, Perry, Peterson, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Wanzenried, Mr. President.

Total 29

Nays: Cocchiarella, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Larson, Laslovich, Lind, Moss, O'Neil, Pease, Ryan, Schmidt, J.Tropila, M.Tropila, Weinberg, Williams.

Total 21

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SJR 26 - Senator Laible moved **SJR 26** be adopted. Motion carried as follows:

Yeas: Cocchiarella, Elliott, Gebhardt, Gillan, Hansen, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Ryan, Schmidt, Shockley, Smith, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 26

Nays: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gallus, Harrington, Jackson, Jent, Larson, McGee, O'Neil, Perry, Peterson, Squires, Stapleton, Steinbeisser, Story, Tash.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJR 17 - Senator Elliott moved **SJR 17** be adopted. Motion carried with Senator Bales, Esp, Steinbeisser, Jent, Story voting nay.

SJR 16 - Senator Lind moved **SJR 16** be adopted. Motion carried with Senator Esp, Stapleton voting nay.

SB 410 - Senator Ryan moved **SB 410** do pass. Motion **failed** as follows:

Yeas: Black, Cobb, Cocchiarella, Elliott, Gallus, Gebhardt, Gillan, Juneau, Kaufmann, Larson, Laslovich, Lind, Pease, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Wanzenried, Weinberg, Williams, Mr. President.

Total 23

Nays: Bales, Balyeat, Barkus, Brown, Brueggeman, Curtiss, Esp, Essmann, Hansen, Harrington, Hawks, Jackson, Jent, Kitzenberg, Laible, Lewis, McGee, Moss, Murphy, O'Neil, Perry, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 410 - Senator Williams moved **SB 410** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cocchiarella, Curtiss, Esp, Essmann, Gebhardt, Hansen, Harrington, Hawks, Jackson, Jent, Kitzenberg, Laible, Lewis, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Shockley, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Williams.

Total 35

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Nays: Cobb, Elliott, Gallus, Gillan, Juneau, Kaufmann, Larson, Laslovich, Lind, Ryan, Schmidt, Smith, Wanzenried, Weinberg, Mr. President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 355 - Senator Wanzenried moved consideration of **SB 355** be placed below SB 531 on the second reading board. Motion carried.

SB 527 - Senator Gillan moved **SB 527** do pass. Motion carried with Senator O'Neil voting nay.

SB 537 - Senator Brown moved **SB 537** do pass. Motion carried with Senator Larson, Jent, O'Neil, McGee voting nay.

SB 407 - Senator Bales moved **SB 407**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Following: "AUTHORIZATION FOR"

Insert: "LIMITED"

2. Title, page 1, line 7.

Strike: "EMERGENCY"

Following: "WILDLIFE;"

Insert: "PROVIDING A WATER QUALITY STANDARD; REQUIRING REPORTS TO THE LEGISLATURE;"

3. Page 1, line 12.

Strike: "Emergency discharge"

Insert: "Discharge"

4. Page 1, line 14.

Strike: "emergency"

5. Page 1, line 19.

Following: "days"

Insert: "in any calendar year"

6. Page 1, line 20.

Following: line 19

Insert: "(4) The only water quality standard applicable to these impoundments is a narrative standard of sufficient quality for livestock and wildlife watering at the time of discharge and during periods of use.

(5) A person issued a general permit governing the authorization for the discharge of water provided for in this section shall comply with the requirements of Title 85, chapter 2.

(6) Discharges of water produced from coal bed methane extraction may not cause a single existing impoundment to exceed more than 25 acre-feet of water."

Insert: "NEW SECTION. **Section 2. Report to legislature.** On or before September 1 of 2008 and 2010, the

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department of environmental quality shall, as provided in 5-11-210, submit a report to the legislature detailing the administration of the general permit established in [section 1]."

Renumber: subsequent sections

Amendment adopted unanimously.

SB 407 - Senator Hawks moved **SB 407**, second reading copy, be amended as follows:

1. Page 1.

Following: line 19

Insert: "(4) Discharges of water produced from coal bed methane extraction may not cause a single existing impoundment to exceed more than 25 acre-feet of water or 75% of the capacity of the existing impoundment, whichever is less.

(5) For the purposes of this section, "existing impoundments" means impoundments constructed before [the effective date of this act]."

Amendment adopted as follows:

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

Total 30

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

Total 19

Absent or not voting: Barkus.

Total 1

Excused: None.

Total 0

SB 407 - Senator Wanzenried moved **SB 407**, second reading copy, be amended as follows:

1. Page 1.

Following: line 19

Insert: "(4) A person may not file a notice of intent provided for in this section after June 30, 2009."

Amendment adopted as follows:

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

Total 28

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

Total 22

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

SB 407 - Senator Wanzenried moved **SB 407**, second reading copy, be amended as follows:

1. Title, page 1, line 7.

Strike: "AN IMMEDIATE"

Insert: "A CONTINGENT"

2. Page 1, line 24.

Strike: "Effective"

Insert: "Contingent effective"

Strike: "on passage and approval"

Insert: "when the legislature appropriates to the department of environmental quality at least \$75,000 to implement and administer the general permit provided for in [section 1]"

Amendment adopted as follows:

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

Total 29

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

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 407 - Senator Kaufmann moved **SB 407**, second reading copy, be amended as follows:

1. Page 1.

Following: line 19

Insert: "(4) If any discharge authorized pursuant to this section exceeds applicable water quality standards, the oil and gas developer who produced the water from coal bed methane extraction is liable for damages and subject to applicable fines and penalties."

Amendment adopted as follows:

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

Total 29

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

Total 21

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Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 407 - Senator Bales moved **SB 407**, as amended, do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Esp, Essmann, Gebhardt, Gillan, Jackson, Kitzenberg, Laible, Laslovich, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Ryan, Shockley, Stapleton, Steinbeisser, Story, Tash, J.Tropila.
Total 30

Nays: Elliott, Gallus, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Larson, Lind, Moss, Pease, Schmidt, Smith, Squires, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 309 - Senator Balyeat moved **SB 309** do pass. Motion carried unanimously.

SJR 25 - Senator J. Peterson moved **SJR 25** be adopted. Motion carried unanimously.

SB 497 - Senator Moss moved **SB 497** do pass. Motion carried as follows:

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

Nays: Bales, Balyeat, Barkus, Esp, Gebhardt, Jackson, McGee, O'Neil, Perry, Shockley, Stapleton, Steinbeisser.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 538 - Senator Elliott moved consideration of **SB 538** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SJR 13 - Senator Smith moved **SJR 13** be adopted. Motion carried with Senator O'Neil, Esp, McGee voting nay.

SJR 21 - Senator J. Peterson moved **SJR 21** be adopted. Motion carried unanimously.

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SB 536 - Senator Perry moved consideration of **SB 536** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 339 - Senator Murphy moved **SB 339** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Harrington, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Pease, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash, J.Tropila, Wanzenried, Weinberg.
Total 29

Nays: Cocchiarella, Elliott, Gillan, Hansen, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Ryan, Schmidt, Smith, Squires, M.Tropila, Williams, Mr. President.
Total 20

Absent or not voting: None.
Total 0

Excused: Cobb.
Total 1

SB 338 - Senator Murphy moved **SB 338** do pass. Motion **failed** as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Gebhardt, Jackson, Jent, Laslovich, Lewis, Murphy, Pease, Perry, Peterson, Stapleton, Tash, M.Tropila.
Total 21

Nays: Cocchiarella, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Lind, McGee, Moss, O'Neil, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, J.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 29

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 338 - Senator Esp moved **SB 338** be **indefinitely postponed**. Motion passed as follows:

Yeas: Balyeat, Barkus, Cocchiarella, Elliott, Essmann, Gebhardt, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lind, McGee, Moss, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, J.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 36

Nays: Bales, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Gallus, Jackson, Jent, Lewis, Murphy, Stapleton, M.Tropila.
Total 14

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 544 - Senator Hansen moved **SB 544** do pass. Motion carried unanimously.

SB 506 - Senator Elliott moved **SB 506**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

Strike: "GENERALLY"

Following: "REVISING"

Insert: "SPECIFIC"

Amendment adopted with Senator Barkus, Black, Balyeat, Jackson, McGee voting nay.

SB 506 - Senator Story moved **SB 506**, as amended, do pass. Motion **failed** as follows:

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

Total 25

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

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 506 - Senator Williams moved **SB 506** be **indefinitely postponed**. Motion carried as follows:

Yeas: Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, 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, Cobb, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 538 - Senator Elliott moved **SB 538**, second reading copy, be amended as follows:

1. Page 1, line 23.

Strike: "5" in both places

Insert: "2" in both places

Amendment adopted unanimously.

SB 538 - Senator Elliott moved **SB 538**, as amended, do pass. Motion carried with Senator Esp voting nay.

SB 490 - Senator Moss moved consideration of **SB 490** be passed for the day. Motion carried.

SB 149 - Senator Tash moved **SB 149** do pass. Motion carried as follows:

Yeas: Barkus, Black, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Squires, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Weinberg, Williams, Mr. President.

Total 38

Nays: Bales, Balyeat, Brown, Gebhardt, Jackson, Juneau, Kaufmann, McGee, O'Neil, Smith, Story, Wanzenried.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 160 - Senator Schmidt moved **SB 160** do pass. Motion carried with Senator Esp voting nay.

SB 219 - Senator Balyeat moved **SB 219** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Hawks, Jackson, Jent, Laible, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash, Mr. President.

Total 33

Nays: Cocchiarella, Gillan, Hansen, Harrington, Juneau, Kaufmann, Kitzenberg, Larson, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 223 - Senator J. Peterson moved **SB 223** do pass. Motion **failed** as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Curtiss, Essmann, Gebhardt, Jackson, Laible, Lewis,

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McGee, Murphy, O'Neil, Perry, Peterson, Ryan, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 23

Nays: Cobb, Cocchiarella, Elliott, Esp, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Pease, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 27

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 223 - Senator Williams moved **SB 223** be **indefinitely postponed**. Motion carried as follows:

Yeas: Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 27

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: None.
Total 0

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Cocchiarella 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 293 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 382 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 48

Nays: Gebhardt, O'Neil.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 491 passed as follows:

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

Total 29

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

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJR 15 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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.

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President.
Total 49

Nays: O'Neil.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 417 passed as follows:

Yeas: Bales, Black, Brown, Brueggeman, Cobb, Cocchiarella, Elliott, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 39

Nays: Balyeat, Barkus, Curtiss, Esp, Essmann, Laible, Lind, McGee, O'Neil, Stapleton, Story.
Total 11

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 312 passed as follows:

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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: Balyeat.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 354 passed as follows:

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Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 47

Nays: Balyeat, Esp, O'Neil.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 286 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Lewis, Lind, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Williams, Mr. President.
Total 43

Nays: Brown, Cobb, Curtiss, Laslovich, McGee, Ryan, Weinberg.
Total 7

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 235 passed as follows:

Yeas: Balyeat, Brown, Brueggeman, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 43

Nays: Bales, Barkus, Black, Cobb, Esp, Steinbeisser, Story.
Total 7

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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SB 186 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, 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, McGee, Murphy.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 349 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Elliott, Esp, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, 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 44

Nays: Brown, Curtiss, Essmann, Jackson, McGee, Shockley.
Total 6

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 391 passed as follows:

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

Nays: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Smith, Stapleton, Steinbeisser, Story, Tash.
Total 24

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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SB 433 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 447 passed as follows:

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

Total 49

Nays: Steinbeisser.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 492 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 49

Nays: Smith.

Total 1

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

SB 502 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 505 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 507 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.
Total 0

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Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 521 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, 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 48

Nays: Lind, Ryan.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 525 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 24 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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

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Nays: Esp.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 288 passed as follows:

Yeas: Bales, Barkus, Black, Cobb, Cocchiarella, Esp, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 36

Nays: Balyeat, Brown, Brueggeman, Curtiss, Elliott, Essmann, Gebhardt, Jackson, Lewis, McGee, O'Neil, Shockley, Stapleton, Steinbeisser.
Total 14

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 385 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 47

Nays: Gebhardt, O'Neil, Shockley.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 294 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

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Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 265 passed as follows:

Yeas: Bales, Black, Brueggeman, Cobb, Cocchiarella, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Moss, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 32

Nays: Balyeat, Barkus, Brown, Curtiss, Esp, Gebhardt, Laible, Lind, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 18

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 18 adopted as follows:

Yeas: Balyeat, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lind, Moss, Murphy, O'Neil, Pease, Perry, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 39

Nays: Bales, Barkus, Esp, Essmann, Gebhardt, Jackson, Lewis, McGee, Peterson, Shockley, Story.
Total 11

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 129 adopted as follows:

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

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

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

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 192 adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 488 adopted as follows:

Yeas: Black, Brueggeman, Cobb, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 40

Nays: Bales, Balyeat, Barkus, Brown, Curtiss, Jackson, McGee, O'Neil, Shockley, Steinbeisser.
Total 10

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 279 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 49

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Nays: Smith.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 145 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 284 passed as follows:

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

Nays: Balyeat, Barkus, Black, Brown, Curtiss, Esp, Essmann, Jackson, McGee, Murphy, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 15

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 390 passed as follows:

Yeas: Brueggeman, Cobb, Cocchiarella, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lind, Moss, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 28

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Nays: Bales, Balyeat, Barkus, Black, Brown, Curtiss, Esp, Essmann, Gebhardt, Jackson, Laible, Lewis, McGee, Murphy, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn until 8:00 a.m., Tuesday, February 27, 2007. Motion carried.

Senate adjourned at 8:02 p.m.

JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate