

**SENATE JOURNAL  
60TH LEGISLATURE  
SIXTIETH LEGISLATIVE DAY**

Helena, Montana  
March 21, 2007

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. Senator Schmidt excused. Quorum present.

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

Total 42

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

Total 7

Absent or not voting: None.

Total 0

Excused: Schmidt.

Total 1

**MOTIONS**

**SEN. JOHN COBB, SD 9, AUGUSTA** moved reconsideration action be taken on **SB 157**, placement on second reading and moved to the Finance and Claims Committee. **SEN. COREY STAPLETON, SD 27, BILLINGS** rejected the motion stating this calls for a suspension of the rules. Senator Cobb commented he thought it would take a motion action. President Cooney ruled Senator Cobb's motion was in order. Senator Stapleton requested a Rules Committee meeting. **SEN. CAROL WILLIAMS, SD 46, MISSOULA** called for the Rules Committee to meet immediately in Room 350. President Cooney called the Senate to stand at ease.

Roll Call.

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

Total 40

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

Total 9

Absent or not voting: None.

Total 0

Excused: Schmidt.

Total 1

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Senator Cobb restated his motion to reconsider action on **SB 157**. President Cooney stated the ruling of the chair would be upheld. The vote 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

**SEN. JIM ELLIOTT, SD 7, TROUT CREEK** moved **SB 220** be transferred from Taxation Committee and placed on second reading on the 62nd Legislative day. Senator Cobb objected to the motion. Senator Cooney called for a vote on the motion. The 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

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Cocchiarella, Chairman): 3/21/2007  
**HB 113**, be concurred in. Report adopted.  
**HB 496**, be concurred in. Report adopted.  
**HB 724**, be concurred in. Report adopted.

**FISH AND GAME** (Tropila, Chairman): 3/21/2007  
**HB 717**, be concurred in. Report adopted.  
**HB 759**, be amended as follows:

1. Page 2, line 25 through page 3, line 1.

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**Strike:** subsection (3)(a) in its entirety

**Insert:** "(3)(a) Not less than 50% of the money in the account must be used by the department to defray costs of:

(i) local search and rescue units for search and rescue missions conducted through a county sheriff's office at a maximum of \$3,000 for each rescue mission, regardless of the number of counties or county search and rescue organizations involved. To fulfill the purposes of this subsection (3)(a)(i), the department shall transmit reimbursement money to the county treasurer, who shall deposit the funds in a separate search and rescue fund accessible by the local search and rescue unit that requested the reimbursement. The county treasurer shall notify the reimbursed local search and rescue unit by mail when the deposit occurs.

(ii) a county sheriff's office at a maximum of \$3,000 for each rescue mission, regardless of the number of counties or county search and rescue organizations involved."

2. Page 3, line 9.

**Following:** "units"

**Insert:** "or a county sheriff's office"

And, as amended, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Gillan, Chairman):  
**HB 201**, be amended as follows:

3/21/2007

1. Title, line 6.

**Strike:** "REQUIRING" through "POLICIES;"

2. Title, lines 8 and 9.

**Strike:** "REQUIRING" on line 8 through "AND" on line 9

**Strike:** "60-2-110," on line 9

3. Title, line 10.

**Strike:** "76-2-101" through "76-3-301,"

**Insert:** "76-3-605,"

**Following:** "76-3-608,"

**Strike:** "85-1-612, AND 90-6-710,"

**Insert:** "AND 76-3-609,"

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 1, line 14 through page 2, line 5.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

5. Page 2, line 19.

**Following:** "incentives"

**Insert:** "may"

6. Page 2, line 20.

**Strike:** "reductions in utility hookup fees,"

7. Page 3, line 16.

**Strike:** ", including" through "services"

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8. Page 3, lines 18 and 19.  
**Strike:** "threats" on line 18 through "(viii)" on line 19
9. Page 3, line 20.  
**Strike:** "(ix)"  
**Insert:** "(viii)"
10. Page 3, line 22.  
**Strike:** ", in maps and text,"
11. Page 3, line 27.  
**Strike:** ", including" through "services"
12. Page 3, line 28 through line 30.  
**Strike:** "public" on line 28 through "(viii)" on line 30
13. Page 4, line 1.  
**Strike:** "(ix)"  
**Insert:** "(vii)"
14. Page 4, line 2.  
**Strike:** "land" through "incentives,"
15. Page 4, line 4.  
**Strike:** "and" through "chapter"
16. Page 4, line 5.  
**Strike:** ", in maps and text,"
17. Page 4, line 18.  
**Strike:** "and with neighboring counties"
18. Page 5, line 21.  
**Following:** "schools,"  
**Insert:** "public access areas,"
19. Page 5, line 30.  
**Following:** "facilities"  
**Insert:** ", including schools,"
20. Page 6, line 2.  
**Strike:** ", schooling, and school busing"
21. Page 6, line 4.  
**Following:** ";"  
**Strike:** "and"
22. Page 6.  
**Following:** line 6  
**Insert:** "(G) agricultural lands and agricultural production; and"

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23. Page 6, lines 12 and 13.

**Strike:** "that" on line 12 through "or" on line 13

**Following:** "adopting" on line 13

**Insert:** "or that have adopted"

24. Page 6, line 14.

**Following:** "assess"

**Insert:** "planning"

25. Page 6, line 15.

**Following:** "The"

**Insert:** "planning"

**Following:** "law"

**Insert:** "and may be collected as part of either subdivision applications or zoning permits"

26. Page 6, line 19 through page 10, line 13.

**Strike:** section 5 through section 8 in their entirety

**Insert:** "NEW SECTION. Section 4. Exemption for certain subdivisions. (1) A subdivision that meets the criteria in subsection (2) is exempt from the following requirements:

(a) preparation of an environmental assessment as required by 76-3-603;

(b) a public hearing on the subdivision application pursuant to 76-3-605; and

(c) review of the subdivision for the criteria listed in 76-3-608(3)(a).

(2) To qualify for the exemptions in subsection (1), a subdivision must meet the following criteria:

(a) the proposed subdivision is entirely within an area inside or adjacent to an incorporated city or town where the governing body has adopted a growth policy that includes the provisions of 76-1-601(4)(c);

(b) the proposed subdivision is entirely within an area subject to zoning adopted pursuant to 76-2-203 or 76-2-304 that avoids, significantly reduces, or mitigates adverse impacts identified in a growth policy that includes the provisions of 76-1-601(4)(c); and

(c) the subdivision proposal includes a description of future public facilities and services, using maps and text, that are necessary to efficiently serve the projected development."

**Insert:** "**Section 5.** Section 76-3-605, MCA, is amended to read:

**"76-3-605. Hearing on subdivision application.** (1) Except as provided in 76-3-609 [and section 4] and subject to the regulations adopted pursuant to 76-3-504(1)(o) and 76-3-615, at least one public hearing on the subdivision application must be held by the governing body, its authorized agent or agency, or both and the governing body, its authorized agent or agency, or both shall consider all relevant evidence relating to the public health, safety, and welfare, including the environmental assessment if required, to determine whether the subdivision application should be approved, conditionally approved, or denied by the governing body.

(2) When a proposed subdivision is also proposed to be annexed to a municipality, the governing body of the municipality shall hold joint hearings on the subdivision application and annexation whenever possible.

(3) Notice of the hearing must be given by publication in a newspaper of general circulation in the county not less than 15 days prior to the date of the hearing. The subdivider, each property owner of record whose property is immediately adjoining the land included in the preliminary plat, and each purchaser under contract for deed of property immediately adjoining the land included in the preliminary plat must also be notified of the hearing by registered or certified mail not less than 15 days prior to the date of the hearing.

(4) When a hearing is held by an agent or agency designated by the governing body, the agent or agency shall act in an advisory capacity and recommend to the governing body the approval, conditional approval, or denial of the proposed subdivision. This recommendation must be submitted to the governing body in writing not later than 10 working days after the public hearing."

**Renumber:** subsequent sections

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27. Page 10, line 26.

**Following:** "~~section or~~"

**Insert:** "except when the governing body has established an exemption pursuant to subsection (6) of this section or"

**Following:** "76-3-509"

**Strike:** "or in"

**Insert:** ", [section 4], or"

**Strike:** "adverse impacts"

**Insert:** "the impact"

28. Page 11, line 7.

**Following:** "significant"

**Insert:** "significant"

29. Page 11.

**Following:** line 26

**Insert:** "(6) The governing body may exempt proposed subdivisions that are entirely within the boundaries of designated geographic areas from the review criteria in subsection (3)(a) if all of the following requirements have been met:

(a) the governing body has adopted a growth policy pursuant to chapter 1 that:

(i) addresses the criteria in subsection (3)(a);

(ii) evaluates the impact of development on the criteria in subsection (3)(a);

(iii) describes zoning regulations that will be implemented to address the criteria in subsection (3)(a);

and

(iv) identifies one or more geographic areas where the governing body intends to authorize an exemption from review of the criteria in subsection (3)(a); and

(b) the governing body has adopted zoning regulations pursuant to chapter 2, part 2 or 3, that:

(i) apply to the entire area subject to the exemption; and

(ii) address the criteria in subsection (3)(a), as described in the growth policy."

**Renumber:** subsequent subsection

30. Page 12, line 2 through page 13, line 22.

**Strike:** section 10 through section 12 in their entirety

**Insert:** "**Section 7.** Section 76-3-609, MCA, is amended to read:

**"76-3-609. Review procedure for minor subdivisions -- determination of sufficiency of application -- governing body to adopt regulations.** (1) Minor subdivisions must be reviewed as provided in this section and subject to the applicable local regulations adopted pursuant to 76-3-504.

(2) If the tract of record proposed to be subdivided has not been subdivided or created by a subdivision under this chapter or has not resulted from a tract of record that has had more than five parcels created from that tract of record under 76-3-201 or 76-3-207 since July 1, 1973, then the proposed subdivision is a first minor subdivision from a tract of record and, when legal and physical access to all lots is provided, must be reviewed as follows:

(a) Except as provided in subsection (2)(b), the governing body shall approve, conditionally approve, or deny the first minor subdivision from a tract of record within 35 working days of a determination by the reviewing agent or agency that the application contains required elements and sufficient information for review. The determination and notification to the subdivider must be made in the same manner as is provided in 76-3-604(1) through (3).

(b) The subdivider and the reviewing agent or agency may agree to an extension or suspension of the review period, not to exceed 1 year.

(c) Except as provided in subsection (2)(d)(iii), an application must include a summary of the probable

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impacts of the proposed subdivision based on the criteria described in 76-3-608(3).

(d) The following requirements do not apply to the first minor subdivision from a tract of record as provided in subsection (2):

(i) the requirement to prepare an environmental assessment;

(ii) the requirement to hold a hearing on the subdivision application pursuant to 76-3-605; and

(iii) the requirement to review the subdivision for the criteria contained in 76-3-608(3)(a) if the minor subdivision is proposed in the portion of a jurisdictional area that has adopted zoning regulations that address the criteria in 76-3-608(3)(a).

(e) The governing body may adopt regulations that establish requirements for the expedited review of the first minor subdivision from a tract of record. The following apply to a proposed subdivision reviewed under the regulations:

(i) 76-3-608(3); and

(ii) the provisions of Title 76, chapter 4, part 1, whenever approval is required by those provisions.

(3) Except as provided in [section 4] and subsection (4) of this section, any minor subdivision that is not a first minor subdivision from a tract of record, as provided in subsection (2), is a subsequent minor subdivision and must be reviewed as provided in 76-3-601 through 76-3-605, 76-3-608, 76-3-610 through 76-3-614, and 76-3-620.

(4) The governing body may adopt subdivision regulations that establish requirements for review of subsequent minor subdivisions that meet or exceed the requirements that apply to the first minor subdivision, as provided in subsection (2) and this chapter.

(5) (a) Review and approval, conditional approval, or denial of a subdivision under this chapter may occur only under those regulations in effect at the time that a subdivision application is determined to contain sufficient information for review as provided in subsection (2).

(b) If regulations change during the period that the application is reviewed for required elements and sufficient information, the determination of whether the application contains the required elements and sufficient information must be based on the new regulations."

**Renumber:** subsequent sections

31. Page 13, line 24.

**Following:** "instruction."

**Insert:** "(1)"

**Strike:** "4"

**Insert:** "3"

32. Page 13, line 25.

**Following:** "section"

**Strike:** "4"

**Insert:** "3"

33. Page 13.

**Following:** line 25

**Insert:** "(2) [Section 4] is intended to be codified as an integral part of Title 76, chapter 3, part 6, and the provisions of Title 76, chapter 3, part 6, apply to [section 4]."

**Insert:** "NEW SECTION. Section 9. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**HB 456**, be amended as follows:

1. Page 23, line 2.

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**Following:** "tenant"

**Insert:** "and each known party having a lien or encumbrance of record"

2. Page 23, line 20.

**Following:** "sale and"

**Insert:** ", subject to any prior security interest of record,"

3. Page 25, line 20.

**Following:** "premises."

**Insert:** "The sale proceeds are subject to any prior security interest of record."

And, as amended, be concurred in. Report adopted.

**HB 524**, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "CONTAIN"

**Insert:** "HAVE"

2. Title, page 1, line 6.

**Strike:** "250"

**Insert:** "200"

**Following:** "INHABITANTS"

**Insert:** "PER SQUARE MILE OF LAND AREA"

3. Page 1, line 20.

**Strike:** "may not exceed 1 square mile in land area."

**Strike:** "A ward"

**Strike:** "250"

**Insert:** "200"

4. Page 1, line 21.

**Strike:** line 21 in its entirety

**Insert:** "for each square mile of land area."

And, as amended, be concurred in. Report adopted.

**HB 596**, be concurred in. Report adopted.

**HB 795**, be concurred in. Report adopted.

**HB 2369**, be amended as follows:

1. Page 1, line 16.

**Following:** "valuation of a county"

**Insert:** "and not exceeding the limits on county indebtedness established in 7-7-2101"

And, as amended, be concurred in. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**



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**House bill** passed and transmitted to the Senate for concurrence: 3/20/2007  
**HB 536**, introduced by Becker

**House bill** passed and transmitted to the Senate for concurrence: 3/20/2007  
**HB 31**, introduced by Kottel

**House bill** passed and transmitted to the Senate for concurrence: 3/20/2007  
**HB 149**, introduced by Jopek

**House bill** passed and transmitted to the Senate for concurrence: 3/20/2007  
**HB 193**, introduced by Nooney

**House joint resolution** passed and transmitted to the Senate for concurrence: 3/20/2007  
**HJR 20**, introduced by Milburn

**SECOND READING OF BILLS**

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

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

**HB 120** - Senator Ryan moved **HB 120**, second reading copy, be amended as follows:

1. Title, line 6.

**Following:** "EXEMPTING"

**Insert:** "CERTAIN"

**Strike:** "WITH A 2-YEAR OR 3-YEAR LICENSE"

2. Page 1, line 27.

**Following:** "(4)"

**Insert:** "(a)"

3. Page 1, line 28.

**Strike:** "THE"

**Insert:** "Subject to subsection (4)(b), the"

4. Page 1, line 29.

**Following:** "BASIS"

**Insert:** "."

**Strike:** "AND"

**Insert:** "(b) The department"

5. Page 1, line 30.

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**Following:** "52-2-721"

**Insert:** "or that have successfully passed inspections for 10 consecutive years"

Amendment adopted unanimously.

**HB 120** - Senator Moss moved **HB 120**, as amended, be concurred in. Motion carried unanimously.

**HB 503** - Senator Hansen moved **HB 503** be concurred in. Motion carried unanimously.

**HB 409** - Senator Brueggeman moved **HB 409** be concurred in. Motion carried with Senator O'Neil voting nay.

**HB 412** - Senator Moss moved consideration of **HB 412** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

**HB 633** - Senator J. Tropila moved **HB 633**, second reading copy, be amended as follows:

1. Title, line 13.

**Strike:** the first "AND"

2. Title, line 14.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 4.

**Following:** line 15

**Insert:** "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2007."

Amendment adopted unanimously.

**HB 633** - Senator J. Tropila moved **HB 633**, as amended, be concurred in. Motion carried with Senator Hansen, Smith voting nay.

**HB 363** - Senator Ryan moved **HB 363** be concurred in. Motion carried as follows:

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

Total 41

Nays: Balyeat, Barkus, Brown, Essmann, McGee, O'Neil, Perry, Shockley, Stapleton.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 22** - Senator Gillan moved **HB 22** be concurred in. Motion carried unanimously.

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**HB 555** - Senator Kaufmann moved **HB 555** be concurred in. Motion carried as follows:

Yeas: Brueggeman, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 33

Nays: Bales, Balyeat, Barkus, Black, Brown, Cobb, Gebhardt, Jackson, McGee, O'Neil, Stapleton, Steinbeisser, Story, Tash, J.Tropila.  
Total 15

Absent or not voting: Gillan, Moss.  
Total 2

Excused: None.  
Total 0

**HB 703** - Senator Wanzenried moved **HB 703** be concurred in. Motion carried as follows:

Yeas: Bales, Black, Brueggeman, Cobb, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 41

Nays: Balyeat, Barkus, Brown, Curtiss, Jackson, Lind, McGee, Shockley, Stapleton.  
Total 9

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 Esp 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:

**HB 64** concurred in 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

**HB 92** concurred in 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, 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 48

Nays: McGee, Stapleton.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 521** concurred in as follows:

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

Nays: Kaufmann, Shockley.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 105** concurred in as follows:

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

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Nays: Jackson, McGee, Stapleton, Steinbeisser, Story.  
Total 5

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 177** concurred in 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

**HB 207** concurred in 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

**HB 83** concurred in 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,

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Williams, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 400** concurred in as follows:

Yeas: Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, Harrington, Hawks, Jackson, Jent, 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 43

Nays: Bales, Balyeat, Barkus, Gallus, Hansen, McGee, Stapleton.  
Total 7

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 1:00 p.m., Thursday, March 22, 2007. Motion carried.

Senate adjourned at 3:06 p.m.

JOHN MUDD  
Secretary of the Senate

MIKE COONEY  
President of the Senate