

**SENATE JOURNAL
60TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 22, 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. All members present. Quorum present.

Yeas: Bales, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Curtiss, 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, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 43

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

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Cocchiarella, Chairman): 3/23/2007

HB 497, be concurred in. Report adopted.

HB 756, be concurred in. Report adopted.

HB 770, be concurred in. Report adopted.

NATURAL RESOURCES AND ENERGY (Lind, Chairman): 3/23/2007

HB 37, be concurred in. Report adopted.

HB 526, be amended as follows:

1. Page 2, line 13 through line 17.

Following: "Subdivision" on line 13

Strike: "means" on line 13 through "subdivision is" on line 17

Insert: "has the meaning provided for in 76-3-103. The definition includes subdivisions that may be"

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

HB 664, be concurred in. Report adopted.

TAXATION (Elliott, Chairman): 3/23/2007

HB 174, be amended as follows:

1. Title, line 7 through line 11.

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Strike: the second "CLARIFYING" on line 7 through "LAW;" on line 11

2. Title, line 12 through line 13.

Strike: "PROVIDING" on line 12 through "REPORTING;" on line 13

3. Title, line 20.

Following: "REVENUE;"

Insert: "DIRECTING CIGARETTE TAX APPEALS TO THE DEPARTMENT OF REVENUE;"

4. Title, line 21.

Strike: "15-30-101,"

Strike: "15-30-135,"

Strike: "15-30-137,"

5. Title, line 22.

Following: "15-39-107,"

Strike: "17-7-502,"

Insert: "16-11-149,"

6. Title, line 23.

Strike: "REPEALING SECTION 15-1-113, MCA;"

7. Page 3, line 10.

Following: "(2)(a)"

Insert: "(i)"

Strike: "subsection"

Insert: "subsections (2)(a)(ii) and"

8. Page 3, line 11.

Strike: "1%"

Insert: "0.5%"

Strike: "or fraction of a month"

9. Page 3, line 12.

Strike: "10%"

Insert: "12%"

10. Page 3.

Following: line 12

Insert: "(ii) 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, when due, at least 90% of the tax for the current year."

11. Page 3, line 14.

Strike: "or fraction of a month"

12. Page 3.

Following: line 15

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Insert: "(c) The penalties provided in subsections (2)(a) and (2)(b) on delinquent taxes and on deficiency assessments are computed from the original due date of the return until the tax is paid. The penalty 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 the return."

Renumber: subsequent subsections

13. Page 3, line 18.

Strike: "\$1,500"

Insert: "\$2,500"

14. Page 3, line 22.

Strike: "(2)(c)(iv)"

Insert: "subsection (2)(d)(iv)"

15. Page 3, line 27 through page 4, line 2.

Strike: subsection (d) and subsection (3) in their entirety

Renumber: subsequent subsections

16. Page 4, line 9.

Following: "return or"

Insert: "purposely or knowingly"

17. Page 4, line 14.

Following: "return or"

Insert: "purposely or knowingly"

18. Page 4, line 17.

Strike: "(6)(a)(i)"

Insert: "(5)(a)(i)"

19. Page 4, line 18.

Strike: "(6)(a)"

Insert: "(5)(a)"

20. Page 4, line 23.

Strike: "or 8%, whichever is greater"

21. Page 4, line 25.

Following: "12%"

Insert: "a year"

22. Page 4, line 29.

Strike: "(7)(b)"

Insert: "(6)(b)"

23. Page 5, line 12.

Strike: "(6)(a)(i)"

Insert: "(5)(a)(i)"

Strike: "(7)(a)"

Insert: "(6)(a)"

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

24. Page 5, line 15 through page 10, line 20.

Strike: section 4 in its entirety

Renumber: subsequent sections

25. Page 12, line 11 through page 13, line 26.

Strike: section 6 in its entirety

Renumber: subsequent sections

26. Page 15, line 9 through page 16, line 11.

Strike: section 8 in its entirety

Renumber: subsequent sections

27. Page 17, line 17.

Following: "of the"

Insert: "determination of the"

28. Page 17, line 26.

Strike: "(a)"

29. Page 17, line 27.

Strike: "Except" through "interest"

Insert: "Interest"

30. Page 18, line 5.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

31. Page 18, line 9 through line 10.

Strike: subsection (b) in its entirety

32. Page 21, line 16.

Strike: "₂"

33. Page 21, line 17.

Strike: "chapter 12"

34. Page 23, line 4.

Strike: ", chapter 12"

35. Page 24, line 9.

Strike: "(a)"

36. Page 24, line 12.

Strike: "(b)"

Insert: "(2)"

Following: "15-39-102"

Strike: "and"

Insert: "or"

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

37. Page 24, line 13.

Strike: "a penalty"

Insert: "penalties"

38. Page 24, line 15 through line 16.

Strike: subsection (2) in its entirety

39. Page 24, line 25.

Insert: "Section 15. Section 16-11-149, MCA, is amended to read:

"16-11-149. Hearings before ~~state tax appeal board~~ department. A person aggrieved by any action of the department or its authorized agents taken to enforce the tax provisions of this part, except for a revocation of a license pursuant to 16-11-144, may apply to the ~~state tax appeal board~~ department, in writing, for a hearing or rehearing within 30 days after the action of the department or its authorized agents. The ~~board~~ department shall promptly consider the application, set the application for hearing, and notify the applicant of the time and place fixed for the hearing or rehearing, which may be at its office or in the county of the applicant. After the hearing or rehearing, the ~~board~~ department may make any further or other order in the premises as it may consider proper and lawful and shall furnish a copy to the applicant. The department, on its own initiative, may order a contested case hearing on any matter concerned with licensing, as defined in 2-4-102, in connection with the administration of this part upon at least 10 days' notice in writing to the person or persons to be investigated. A final order by the department may be appealed to the state tax appeal board."

Renumber: subsequent sections

40. Page 24, line 26 through page 25, line 27.

Strike: section 18 in its entirety

Renumber: subsequent sections

41. Page 26, line 10.

Strike: section 20 in its entirety

Renumber: subsequent sections

42. Page 26, line 14.

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

43. Page 26, line 16.

Strike: "3(5)"

Insert: "3(4)"

Strike: ", amending subsection (5) of 15-1-216,"

44. Page 26.

Following: line 17

Insert: "(3) [Sections 2, 9, and 10] apply on [the effective date of this act]."

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

HB 469, be concurred in. Report adopted.

HB 549, be concurred in. Report adopted.

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

MESSAGES FROM THE OTHER HOUSE

House bill returned to Senate concurred: 3/21/2007
HB 86, introduced by Musgrove

Senate bill returned to Senate concurred: 3/21/2007
SB 45, introduced by Weinberg

Senate bill returned to Senate concurred: 3/21/2007
SB 108, introduced by Cocchiarella

Senate bill returned to Senate concurred: 3/21/2007
SB 319, introduced by Cocchiarella

Senate bill returned to Senate concurred: 3/21/2007
SB 323, introduced by Laslovich

MOTIONS

SEN. DON RYAN, SD 10, GREAT FALLS moved **HB 363** be taken off of third reading for reconsideration of action and placed on second reading today. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 560, introduced by Kaufmann, Erickson, referred to Public Health, Welfare and Safety.

**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 Elliott in the chair.

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

HB 496 - Senator Esp moved **HB 496**, second reading copy, be amended as follows:

1. Title, line 4.

Following: "NURSES"

Insert: "OR LICENSED PHYSICIAN ASSISTANTS"

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

2. Page 2, line 1.

Following: "physician"

Insert: ", licensed physician assistant, "

3. Page 3, line 28.

Following: "physician"

Insert: ", licensed physician assistant, "

4. Page 5, line 15.

Following: "physician"

Insert: ", licensed physician assistant, "

5. Page 5, line 27.

Following: "physician₂"

Insert: "licensed physician assistant, "

6. Page 6, line 5.

Following: "physician"

Insert: ", licensed physician assistant, "

7. Page 6, line 19.

Following: "physician"

Insert: ", licensed physician assistant, "

8. Page 6, line 26.

Following: "physician"

Insert: ", licensed physician assistant, "

9. Page 7, line 8.

Following: "physician"

Insert: ", licensed physician assistant, "

Amendment adopted unanimously.

HB 496 - Senator Wanzenried moved **HB 496**, as amended, be concurred in. Motion carried with Senator McGee voting nay.

HB 724 - Senator Gillan moved **HB 724** be concurred in. Motion carried with Senator Balyeat, O'Neil voting nay.

HB 717 - Senator Tash moved **HB 717** be concurred in. Motion carried unanimously.

HB 759 - Senator Bales moved **HB 759** be concurred in. Motion carried unanimously.

HB 397 - Senator Pease moved **HB 397** be concurred in. Motion carried with Senator Juneau voting nay.

HB 596 - Senator Hawks moved **HB 596** be concurred in. Motion carried with Senator Barkus, Balyeat, Shockley, Jackson, McGee voting nay.

HB 795 - Senator Gebhardt moved **HB 795** be concurred in. Motion carried with Senator Brown, Balyeat,

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Barkus, Jackson voting nay.

HB 98 - Senator Cobb moved **HB 98** be concurred in. Motion carried unanimously.

HB 117 - Senator Schmidt moved **HB 117** be concurred in. Motion carried with Senator McGee voting nay.

HB 118 - Senator Lind moved **HB 118** be concurred in. Motion carried as follows:

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

Nays: Bales, Balyeat, Barkus, Brown, Curtiss, Essmann, Gebhardt, Jackson, Lewis, McGee, O'Neil, Stapleton, Steinbeisser, J.Tropila.
Total 14

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 91 - Senator Williams moved **HB 91** be concurred in. Motion carried unanimously.

HB 361 - Senator O'Neil moved **HB 361**, second reading copy, be amended as follows:

1. Title, line 6.

Following: "STATES;"

Insert: "REVISING MARRIAGE LICENSE FEES FOR PROXY MARRIAGES;"

2. Title, line 7.

Following: "SECTIONS"

Insert: "25-1-201,"

Following: "40-1-202"

Insert: ",,"

3. Page 1, line 10.

Following: line 9

Insert: "**Section 1.** Section 25-1-201, MCA, is amended to read:

"25-1-201. Fees of clerk of district court. (1) The clerk of district court shall collect the following fees:

(a) at the commencement of each action or proceeding, except a petition for dissolution of marriage, from the plaintiff or petitioner, \$90; for filing a complaint in intervention, from the intervenor, \$80; for filing a petition for dissolution of marriage, \$170; for filing a petition for legal separation, \$150; and for filing a petition for a contested amendment of a final parenting plan, \$120;

(b) from each defendant or respondent, on appearance, \$60;

(c) on the entry of judgment, from the prevailing party, \$45;

(d) (i) except as provided in subsection (1)(d)(ii), for preparing copies of papers on file in the clerk's office, \$1 a page for the first 10 pages of each file, for each request, and 50 cents for each additional page;

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

- (ii) for a copy of a marriage license, \$5, and for a copy of a dissolution decree, \$10;
- (e) for each certificate, with seal, \$2;
- (f) for oath and jurat, with seal, \$1;
- (g) for a search of court records, \$2 for each name for each year searched, for a period of up to 7 years, and an additional \$1 for each name for any additional year searched;
- (h) for filing and docketing a transcript of judgment or transcript of the docket from all other courts, the fee for entry of judgment provided for in subsection (1)(c);
- (i) for issuing an execution or order of sale on a foreclosure of a lien, \$5;
- (j) for transmission of records or files or transfer of a case to another court, \$5;
- (k) for filing and entering papers received by transfer from other courts, \$10;
- (l) for issuing a marriage license, \$53, except for issuing a marriage license for a double proxy wedding, \$1,000;
- (m) on the filing of an application for informal, formal, or supervised probate or for the appointment of a personal representative or the filing of a petition for the appointment of a guardian or conservator, from the applicant or petitioner, \$70, which includes the fee for filing a will for probate;
- (n) on the filing of the items required in 72-4-303 by a domiciliary foreign personal representative of the estate of a nonresident decedent, \$55;
 - (o) for filing a declaration of marriage without solemnization, \$53;
 - (p) for filing a motion for substitution of a judge, \$100;
 - (q) for filing a petition for adoption, \$75.
- (2) Except as provided in subsections (3) and (5) through (7), fees collected by the clerk of district court must be deposited in the state general fund as specified by the supreme court administrator.
- (3) (a) Of the fee for filing a petition for dissolution of marriage, \$5 must be deposited in the children's trust fund account established in 52-7-102, \$19 must be deposited in the civil legal assistance for indigent victims of domestic violence account established in 3-2-714, and \$30 must be deposited in the partner and family member assault intervention and treatment fund established in 40-15-110.
 - (b) Of the fee for filing a petition for legal separation, \$5 must be deposited in the children's trust fund account established in 52-7-102 and \$30 must be deposited in the partner and family member assault intervention and treatment fund established in 40-15-110.
- (4) If the moving party files a statement signed by the nonmoving party agreeing not to contest an amendment of a final parenting plan at the time the petition for amendment is filed, the clerk of district court may not collect from the moving party the fee for filing a petition for a contested amendment of a parenting plan under subsection (1)(a).
- (5) Of the fee for filing an action or proceeding, except a petition for dissolution of marriage, \$9 must be deposited in the civil legal assistance for indigent victims of domestic violence account established in 3-2-714.
- (6) The fees collected under subsections (1)(d), (1)(g), and (1)(j) must be deposited in the county district court fund. If a district court fund does not exist, the fees must be deposited in the county general fund to be used for district court operations.
- (7) Of the fee for issuance of a marriage license and the fee for filing a declaration of marriage without solemnization, \$13 must be deposited in the domestic violence intervention account established by 44-4-310 and \$10 must be deposited in the county district court fund. If a district court fund does not exist, the fees must be deposited in the county general fund to be used for district court operations.
- (8) Any filing fees, fines, penalties, or awards collected by the district court or district court clerk not otherwise specifically allocated must be deposited in the state general fund."

Renumber: subsequent sections

4. Page 1, line 12.

Following: "issuance."

Insert: "(1)"

5. Page 1, line 14.

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Following: "fee"
Strike: "of \$53"
Insert: "required under subsection (2)"

6. Page 1, line 16.
Strike: "(1)"
Insert: "(a)"

7. Page 1, line 19.
Strike: "(2)"
Insert: "(b)"

8. Page 1, line 20.
Strike: "(3)"
Insert: "(c)"

9. Page 1, line 21.
Following: line 20

Insert: "(2) (a) Except as provided in subsection (2)(b), the fee for issuance of a marriage license is \$53.

(b) The fee for issuance of a marriage license for a marriage to be solemnized by proxy in which neither party to the marriage is to be present in person is \$1,000 unless either of the absent parties is a member of the armed forces of the United States on federal active duty, in which case the license fee is waived in its entirety."

Amendment **not** adopted as follows:

Yeas: Balyeat, Barkus, Cobb, Curtiss, Esp, Essmann, Gallus, Gebhardt, Jackson, Juneau, Kaufmann, Murphy, O'Neil, Ryan, M.Tropila.
Total 15

Nays: Bales, Black, Brown, Brueggeman, Cocchiarella, Elliott, Gillan, Hansen, Harrington, Hawks, Jent, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 35

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 361 - Senator Shockley moved **HB 361**, second reading copy, be amended as follows:

1. Title, line 6.
Following: "RESIDENT OF"
Strike: "THE UNITED STATES"
Insert: "MONTANA"

2. Page 2, line 9.
Following: "RESIDENT OF"

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Strike: "THE UNITED STATES"

Insert: "Montana"

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Curtiss, Elliott, Esp, Essmann, Gillan, Hansen, Hawks, Jackson, Jent, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Weinberg, Williams, Mr. President.

Total 39

Nays: Cobb, Cocchiarella, Gallus, Gebhardt, Harrington, Juneau, Kaufmann, O'Neil, Smith, Squires, Wanzenried.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 361 - Senator McGee moved **HB 361**, second reading copy, be amended as follows:

1. Page 1, line 12.

Following: "~~When~~"

Insert: "(1)"

2. Page 1, line 13.

Following: "has"

Insert: "personally"

3. Page 1, line 16.

Strike: "(1)"

Insert: "(a)"

4. Page 1, line 19.

Strike: "(2)"

Insert: "(b)"

5. Page 1, line 20.

Strike: "(3)"

Insert: "(c)"

6. Page 1, line 21.

Following: line 20

Insert: "(2) The requirement of personal appearance under this section may not be satisfied by a designated legal representative or attorney."

7. Page 1, line 29.

Following: "If"

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Strike: "a"
Insert: "one"
Following: "~~he~~"
Strike: "the"
Insert: "that"

8. Page 2, line 10.

Following: "party"
Strike: "or a legal representative"
Insert: "to a proxy marriage"

Amendment **not** adopted as follows:

Yeas: Bales, Balyeat, Barkus, Brown, Brueggeman, Curtiss, Elliott, Esp, Essmann, Jent, Lind, McGee, Perry, Ryan, Smith, Stapleton, Steinbeisser, J.Tropila, Weinberg.

Total 19

Nays: Black, Cobb, Cocchiarella, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, O'Neil, Pease, Peterson, Schmidt, Shockley, Squires, Story, Tash, M.Tropila, Wanzenried, Williams, Mr. President.

Total 31

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 361 - Senator Shockley moved **HB 361**, as amended, be concurred in. Motion carried as follows:

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

Total 39

Nays: Barkus, Brown, Cobb, Cocchiarella, Gallus, Juneau, Kaufmann, McGee, O'Neil, Stapleton, Wanzenried.

Total 11

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

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

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 120 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, 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: Gillan.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 503 concurred in as follows:

Yeas: Bales, Balyeat, 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 47

Nays: Barkus, McGee, Stapleton.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 409 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, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: O'Neil.

Total 1

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 633 concurred in as follows:

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

Nays: Hansen, Juneau, Smith.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 22 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, 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: Curtiss.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 555 concurred in as follows:

Yeas: Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 36

Nays: Bales, Balyeat, Barkus, Black, Esp, Gebhardt, Jackson, McGee, O'Neil, Ryan, Stapleton, Steinbeisser, Story, Tash.

SENATE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2007

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 703 concurred in as follows:

Yeas: Bales, Balyeat, Black, Brueggeman, Cobb, Cocchiarella, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, 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 43

Nays: Barkus, Brown, Curtiss, Esp, Jackson, Lind, McGee.

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., Friday, March 23, 2007. Motion carried.

Senate adjourned at 2:25 p.m.

JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate