

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

Helena, Montana  
March 23, 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 Ryan excused. Quorum present.

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

Total 1

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Cocchiarella, Chairman):

3/23/2007

**HB 616**, be amended as follows:

1. Title, line 7.

**Following:** "23-5-802,"

**Strike:** "AND"

**Following:** "23-5-805,"

**Insert:** "AND 23-5-806,"

2. Page 1.

**Following:** line 24

**Insert:** "(8) "Parimutuel network" means an association licensed by the board to compile and distribute fantasy sports league rosters and weekly point totals for licensed parimutuel facilities and to manage statewide parimutuel wagering pools on fantasy sports leagues."

**Renumber:** subsequent subsections

3. Page 2, line 6 through line 7.

**Following:** "simulcast facilities," on line 6

**Strike:** "compile" on line 6 through "and to" on line 7

**Insert:** "and"

4. Page 2, line 8.

**Following:** "races"

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**Strike:** "and"

**Insert:** ". A simulcast parimutuel network may be licensed by the board to operate a statewide parimutuel wagering pool for"

5. Page 3, line 6.

**Following:** "or"

**Strike:** "operate as"

**Insert:** "conduct fantasy sports league wagering through"

**Following:** "facility"

**Insert:** ", parimutuel network, or a simulcast parimutuel network"

6. Page 5, line 1 through line 2.

**Following:** "(1)"

**Insert:** "(a)"

**Strike:** "or operating" on line 1 through "wagering" on line 2

7. Page 5.

**Following:** line 3

**Insert:** "(b) A person operating a parimutuel facility, parimutuel network, or simulcast parimutuel network that conducts fantasy sports league wagering without first being licensed under this chapter or a person violating this chapter is guilty of a misdemeanor."

8. Page 6, line 1.

**Following:** "facilities"

**Insert:** ", parimutuel networks, simulcast parimutuel networks,"

9. Page 7, line 2 through line 4.

**Strike:** subsection (8) in its entirety

10. Page 8, line 10.

**Strike:** "Each"

**Insert:** "The"

**Strike:** "facility"

**Insert:** "network"

11. Page 8, line 15.

**Strike:** "simulcast"

12. Page 8, line 22.

**Strike:** "simulcast"

13. Page 10, line 11.

**Strike:** "Each"

**Insert:** "The"

**Strike:** "facility"

**Insert:** "network"

14. Page 10, line 15.

**Following:** "live"

**Insert:** "race"

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15. Page 10, line 29.

**Strike:** "(a)"

16. Page 10, line 30.

**Following:** "drawings"

**Strike:** "or"

**Insert:** ", "

17. Page 11, line 1.

**Following:** "process"

**Strike:** "."

**Insert:** ", or"

18. Page 11, line 2 through line 4.

**Strike:** "(b)" on line 2 through "participants" on line 4

**Insert:** "by selection"

**Strike:** "simulcast" on line 4

19. Page 11, line 5.

**Strike:** "by a parimutuel facility"

**Insert:** "under Title 23, chapter 4"

20. Page 11, line 13.

**Strike:** "simulcast"

21. Page 11, line 20 through line 21.

**Strike:** "conducted" on line 20 through "horseracing" on line 21

**Insert:** "operated under a parimutuel system of wagering regulated"

22. Page 12, line 1.

**Strike:** "A"

**Insert:** "The"

**Strike:** "facility"

**Insert:** "network"

23. Page 12.

**Following:** line 2

**Insert:** "**Section 11.** Section 23-5-806, MCA, is amended to read:

**"23-5-806. Sports betting prohibited -- applicability.** Sections 23-5-801, 23-5-802, and 23-5-805 do not:

(1) authorize betting or wagering on the outcome of an individual sports event; or

(2) apply to gambling activities governed under Title 23, chapter 4, except for parimutuel facilities, parimutuel networks, or simulcast parimutuel networks conducting fantasy sports leagues, or under Title 23, chapter 5, part 2 or 5, of this title."

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

**HB 764**, be amended as follows:

1. Title, line 7.

**Following:** "PROTECT"

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**Insert:** "ACTIVE DUTY"

2. Page 1, line 19.

**Following:** the first "of"

**Insert:** "active duty"

3. Page 2, line 8.

**Following:** "protect"

**Insert:** "active duty"

4. Page 2, line 16.

**Following:** the second "to"

**Insert:** "active duty"

5. Page 2, line 28.

**Following:** "protect"

**Insert:** "active duty"

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

**FISH AND GAME** (Tropila, Chairman):

3/23/2007

**HB 284**, be concurred in. Report adopted.

**HB 450**, be concurred in. Report adopted.

**HJR 35**, be concurred in. Report adopted.

**JUDICIARY** (Laslovich, Chairman):

3/23/2007

**HB 579**, be concurred in. Report adopted.

**HB 683**, be amended as follows:

1. Title, line 8.

**Strike:** "SECTION"

**Insert:** "SECTIONS 50-9-106 AND"

2. Page 1, line 11.

**Following:** line 10

**Insert:** "Section 1. Section 50-9-106, MCA, is amended to read:

**"50-9-106. Consent by others to withholding or withdrawal of treatment.** (1) If a written consent to the withholding or withdrawal of the treatment, witnessed by two individuals, is given to the attending physician or attending advanced practice registered nurse, the attending physician or attending advanced practice registered nurse may withhold or withdraw life-sustaining treatment from an individual who:

(a) has been determined by the attending physician or attending advanced practice registered nurse to be in a terminal condition and no longer able to make decisions regarding administration of life-sustaining treatment; and

(b) has no effective declaration.

(2) The authority to consent or to withhold consent under subsection (1) may be exercised by the following individuals, in order of priority:

(a) the spouse of the individual;

(b) an adult child of the individual or, if there is more than one adult child, a majority of the adult children who are reasonably available for consultation;

(c) the parents of the individual;

(d) an adult sibling of the individual or, if there is more than one adult sibling, a majority of the adult

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siblings who are reasonably available for consultation; or

(e) the nearest other adult relative of the individual by blood or adoption who is reasonably available for consultation.

(3) A full guardian may consent or withhold consent under subsection (1) as provided in 72-5-321.

~~(3)~~(4) If a class entitled to decide whether to consent is not reasonably available for consultation and competent to decide or if it declines to decide, the next class is authorized to decide. However, an equal division in a class does not authorize the next class to decide.

~~(4)~~(5) A decision to grant or withhold consent must be made in good faith. A consent is not valid if it conflicts with the expressed intention of the individual.

~~(5)~~(6) A decision of the attending physician or attending advanced practice registered nurse acting in good faith that a consent is valid or invalid is conclusive.

~~(6)~~(7) Life-sustaining treatment cannot be withheld or withdrawn pursuant to this section from an individual known to the attending physician or attending advanced practice registered nurse to be pregnant so long as it is probable that the fetus will develop to the point of live birth with continued application of life-sustaining treatment."

**Renumber:** subsequent section

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

**LOCAL GOVERNMENT** (Gillan, Chairman): 3/23/2007  
**HB 510**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Squires, Chairman): 3/23/2007  
**HB 532**, be concurred in. Report adopted.  
**HB 803**, be concurred in. Report adopted.  
**HJR 4**, be concurred in. Report adopted.  
**HJR 7**, be concurred in. Report adopted.

**TAXATION** (Elliott, Chairman): 3/23/2007  
**SB 553**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** "AREAS"

**Insert:** "OR FOR UNDERSERVED POPULATIONS"

2. Page 2, lines 1 and 2.

**Strike:** "incentive" on line 1 through "areas" on line 2

3. Page 2, lines 6 and 7.

**Strike:** "incentive" on line 6 through "areas" on line 7

4. Page 2, lines 9 and 10.

**Strike:** "incentive" on line 9 through "areas" on line 10

5. Page 2, lines 12 and 13.

**Strike:** "incentive" on line 12 through the second "areas" on line 13

6. Page 2, line 17.

**Following:** "areas"

**Insert:** "or for underserved populations"

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7. Page 2, line 18.

**Following:** the second "areas"

**Insert:** "or for underserved populations"

8. Page 2, line 29.

**Strike:** "incentive" through the second "areas"

9. Page 3, lines 4 and 5.

**Following:** "areas"

**Insert:** "or for underserved populations"

**Strike:** "incentive" on line 4 through the second "areas" on line 5

**Following:** "account"

**Insert:** "established in 20-26-1501"

10. Page 3, line 7.

**Following:** "areas"

**Insert:** "or for medically underserved populations"

11. Page 3, lines 9 and 10.

**Strike:** "for" on line 9 through the second "areas" on line 10

12. Page 3, line 13.

**Following:** "areas"

**Insert:** "or populations"

**Following:** "area"

**Insert:** "or eligible population"

13. Page 3, line 14.

**Following:** "area"

**Insert:** "or population"

14. Page 3, line 16.

**Following:** "area"

**Insert:** "or serving a population"

15. Page 3, line 21.

**Following:** "area"

**Insert:** "or serve the eligible population"

16. Page 3, line 23.

**Following:** "area"

**Insert:** "or for a medically underserved population"

17. Page 3, line 26.

**Strike:** "incentive" through the second "areas"

18. Page 3, line 27.

**Following:** "account"

**Insert:** "established in 20-26-1501"

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19. Page 4, line 14.

**Strike:** "for payment of educational debt"

**Following:** "2009"

**Insert:** ", for payment of educational debt"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

**House joint resolution** passed and transmitted to the Senate for concurrence: 4/22/2007

**HJR 45**, introduced by Thomas

**Senate bill** concurred in as amended and returned to the Senate for concurrence in House amendments: 4/22/2007

**SB 116**, introduced by Brueggeman

**Senate bill** passed and transmitted to the Senate for concurrence: 4/22/2007

**SB 16**, introduced by Hawks

**Senate bill** passed and transmitted to the Senate for concurrence: 4/22/2007

**SB 119**, introduced by Moss

**Senate bill** passed and transmitted to the Senate for concurrence: 4/22/2007

**SB 124**, introduced by Harrington

**Senate bill** passed and transmitted to the Senate for concurrence: 4/22/2007

**SB 141**, introduced by Laslovich

**MOTIONS**

**SEN. GREG LIND, SD 50, MISSOULA** moved to re-refer **HJR 16** to Fish and Game Committee. Motion carried.

**SEN. KELLY GEBHARDT, SD 23, ROUNDUP** moved to change his vote on **HB 397** from "yes" to "no". Motion carried.

**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 J. Peterson in the chair.

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

**HB 497** - Senator Wanzenried moved **HB 497** be concurred in. Motion carried unanimously.

**HB 456** - Senator O'Neil moved **HB 456** be concurred in. Motion carried unanimously.

**HB 157** - Senator Cobb moved **HB 157** be concurred in. Motion carried as follows:

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

Total 38

Nays: Balyeat, Barkus, Black, Brown, Curtiss, Essmann, Jackson, McGee, O'Neil, Shockley, Stapleton.

Total 11

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**SB 220** - Senator Williams moved consideration of **SB 220** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

**HB 260** - Senator Cocchiarella moved **HB 260** be concurred in. Motion carried as follows:

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

Total 36

Nays: Balyeat, Barkus, Brown, Curtiss, Essmann, Jackson, McGee, Murphy, O'Neil, Perry, Shockley, Stapleton, Steinbeisser.

Total 13

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**HB 570** - Senator Jent moved **HB 570** be concurred in. Motion carried unanimously.

**HB 341** - Senator Wanzenried moved **HB 341** be concurred in. Motion carried as follows:

Yeas: Bales, Black, Brown, Brueggeman, Cobb, Cocchiarella, Elliott, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lind, Moss,



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Murphy, O'Neil, Pease, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 39

Nays: Balyeat, Barkus, Curtiss, Esp, Essmann, Lewis, McGee, Perry, Story, Tash.

Total 10

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**HB 469** - Senator Gillan moved **HB 469** be concurred in. Motion carried as follows:

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

Total 40

Nays: Elliott, Harrington, Hawks, Kaufmann, Lind, Moss, Schmidt, Weinberg, Williams.

Total 9

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**HB 412** - Senator Moss moved **HB 412** be concurred in. Motion carried with Senator McGee, Curtiss, Tropila M., Jackson, O'Neil voting nay.

**SB 470** - Senator Elliott moved **SB 470** be concurred in. Motion carried as follows:

Yeas: Black, Cobb, Cocchiarella, Elliott, Essmann, 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 28

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

Total 20

Absent or not voting: None.

Total 0

Excused: Brueggeman, Ryan.

Total 2

**HB 363** - Senator Williams moved consideration of **HB 363** be passed for the day. Motion carried.

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**HB 770** - Senator Wanzenried moved **HB 770** be concurred in. Motion carried with Senator McGee voting nay.

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman J. Peterson 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 496** 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, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 48

Nays: McGee.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

**HB 724** concurred in 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, Moss, Murphy, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 46

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

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

**HB 717** 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,

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Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

**HB 759** 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, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

**HB 397** concurred in as follows:

Yeas: Balyeat, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 42

Nays: Bales, Barkus, Esp, Essmann, Gebhardt, Juneau, Story.  
Total 7

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

**HB 596** concurred in as follows:

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Yeas: 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, Pease, Perry, Peterson, Schmidt, Smith, Squires, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 41

Nays: Bales, Balyeat, Barkus, Jackson, McGee, O'Neil, Shockley, Stapleton.

Total 8

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**HB 795** concurred in as follows:

Yeas: Black, 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, Schmidt, Shockley, Smith, Squires, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 41

Nays: Bales, Balyeat, Barkus, Brown, Jackson, McGee, Stapleton, Story.

Total 8

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**HB 98** 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, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 47

Nays: McGee, Stapleton.

Total 2

Absent or not voting: None.

Total 0

Excused: Ryan.

Total 1

**HB 117** concurred in as follows:

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Yeas: Bales, Balyeat, Black, Brown, Brueggeman, Cobb, Cocchiarella, 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, Schmidt, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 44

Nays: Barkus, Curtiss, McGee, Shockley, Smith.  
Total 5

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

**HB 118** concurred in 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

Paired: Ryan, Aye; Barkus, No.

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 91** 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, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ryan.  
Total 1

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**HB 361** concurred in as follows:

Yeas: Bales, Balyeat, Black, Brueggeman, Curtiss, 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 37

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

Total 13

Paired: Ryan, Aye; Barkus, No.

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, March 24, 2007. Motion carried.

Senate adjourned at 3:05 p.m.

JOHN MUDD  
Secretary of the Senate

MIKE COONEY  
President of the Senate