

Senate Chamber, Atlanta, Georgia
Friday, January 26, 2007
Ninth Legislative Day

The Senate met pursuant to adjournment at 9:00 a.m. today and was called to order by the President.

Senator Thomas of the 54th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

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

SB 51. By Senators Smith of the 52nd, Goggans of the 7th, Hudgens of the 47th, Hamrick of the 30th and Harp of the 29th:

A BILL to be entitled an Act to amend Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to the Department of Human Resources, so as to permit the department to obtain national criminal history background data on owners of personal care homes, private home care providers, and child welfare agencies; to provide for definitions; to provide for the establishment of a uniform method of obtaining national criminal history background checks; to prohibit owners with certain criminal records from operating licensed facilities; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 53. By Senators Williams of the 19th, Hamrick of the 30th, Seabaugh of the 28th, Harp of the 29th, Tolleson of the 20th and others:

A BILL to be entitled an Act to amend Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions from state health planning and development provisions, so as to provide findings of the General Assembly; to provide an exemption for the development and offering of new institutional health services by acute cancer hospitals with 50 or fewer beds

that specialize in advanced cancer treatment and that have a majority of their patients originating from outside the State of Georgia; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 54. By Senators Smith of the 52nd, Mullis of the 53rd, Carter of the 13th and Hamrick of the 30th:

A BILL to be entitled an Act to amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to provide for gender neutrality with regard to the offense of incest; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SB 55. By Senators Unterman of the 45th, Staton of the 18th, Balfour of the 9th, Orrock of the 36th, Harp of the 29th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 6 of Title 3 of the Official Code of Georgia Annotated, relating to general provisions relative to wine, so as to authorize restaurant patrons to remove for off-premises consumption a resealed partially consumed bottle of wine that was purchased with a food item; to amend Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to miscellaneous provisions of the uniform rules of the road, so as to provide that a resealed partially consumed bottle of wine that was purchased with a food item is not an open alcoholic beverage container for purposes of the prohibition against possessing an open container of alcohol in the passenger area of a motor vehicle; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Regulated Industries and Utilities Committee.

SB 56. By Senators Unterman of the 45th, Staton of the 18th, Balfour of the 9th and Harp of the 29th:

A BILL to be entitled an Act to amend Article 2 of Chapter 6 of Title 3 of the Official Code of Georgia Annotated, relating to the state license requirements and regulations for the distribution and sale of wine, so as to provide for the direct shipment of certain quantities of wine to Georgia residents over the age of 21; to provide for the issuance of wine direct shipper licenses if certain requirements are met; to prohibit certain actions by wine direct shipper licensees; to provide for wine direct shipper license renewals; to provide for

powers, duties, and authority of the state revenue commissioner; to provide for civil and criminal violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Regulated Industries and Utilities Committee.

SB 57. By Senators Unterman of the 45th, Thomas of the 54th, Mullis of the 53rd, Balfour of the 9th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Chapter 44 of Title 31 of the O.C.G.A., relating to renal disease facilities, so as to provide a short title; to revise a definition for purposes of conformity; to revise certain provisions relating to the adoption of rules relative to end stage renal disease facilities and personnel thereof; to revise certain provisions relating to minimum standards for curricula, instructors, and training dialysis and reuse technicians; to amend Title 43 of the O.C.G.A., relating to regulation of professions and businesses, so as to add a new Chapter 30A regulating dialysis technicians; to provide for definitions; to provide for certification requirements for dialysis technicians; to revise certain provisions relating to the nonapplicability of Code Section 43-34-177 for purposes of conformity; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 58. By Senators Smith of the 52nd, Wiles of the 37th and Bulloch of the 11th:

A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county taxation, so as to repeal certain provisions relating to payment of taxes where property lies in more than one county; to repeal conflicting laws; and for other purposes.

Referred to the Finance Committee.

SB 59. By Senators Staton of the 18th, Harp of the 29th, Carter of the 13th, Rogers of the 21st, Hooks of the 14th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and fraudulent practices, so as to provide definitions; to provide that it shall be illegal for the owner or operator of a social networking website to allow a minor using a protected computer to create or maintain a profile web page on a social networking website without the permission of the minor's parent or guardian and without

providing such parent or guardian access to such profile web page; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Science and Technology Committee.

SB 60. By Senators Staton of the 18th, Johnson of the 1st, Adelman of the 42nd, Unterman of the 45th, Bulloch of the 11th and others:

A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to establish the Georgia Trauma Commission; to provide for its composition, membership, duties, and responsibilities; to provide that hospitals offering or seeking to offer emergency trauma services may add additional beds or operating rooms for emergency trauma purposes without the necessity of applying for a certificate of need; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 61. By Senators Mullis of the 53rd, Whitehead, Sr. of the 24th, Seay of the 34th, Butler of the 55th and Staton of the 18th:

A BILL to be entitled an Act to amend Code Section 19-8-16 of the Official Code of Georgia Annotated, relating to investigation by a child-placing agency or other agent, so as to require a petitioner to submit to a criminal history records check; to provide for such an investigation; to provide for a fee; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 62. By Senators Mullis of the 53rd, Whitehead, Sr. of the 24th, Seay of the 34th, Carter of the 13th and Staton of the 18th:

A BILL to be entitled an Act to amend Code Section 35-3-35 of the Official Code of Georgia Annotated, relating to disclosure and dissemination of records by the Georgia Crime Information Center to public agencies and political subdivisions and responsibility and liability of the issuing center, so as to provide certain conditions for requesting criminal history records; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

SR 87. By Senators Smith of the 52nd, Thomas of the 54th, Mullis of the 53rd, Pearson of the 51st and Heath of the 31st:

A RESOLUTION urging the Georgia Department of Human Resources to name the district health office building to be built at Northwest Georgia Regional Hospital in honor of Dr. Raymond F. Corpe; and for other purposes.

Referred to the Health and Human Services Committee.

The following committee reports were read by the Secretary:

Mr. President:

The Education and Youth Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 10 Do Pass by substitute

Respectfully submitted,
Senator Weber of the 40th District, Chairman

Mr. President:

The Judiciary Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 14 Do Pass

Respectfully submitted,
Senator Smith of the 52nd District, Chairman

Senator Stoner of the 6th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Stoner of the 6th asked unanimous consent that Senator Meyer von Bremen of the 12th be excused. The consent was granted, and Senator Meyer von Bremen was excused.

Senator Hooks of the 14th asked unanimous consent that Senator Harbison of the 15th be excused. The consent was granted, and Senator Harbison was excused.

Senator Hudgens of the 47th asked unanimous consent that Senator Bulloch of the 11th be excused. The consent was granted, and Senator Bulloch was excused.

Senator Williams of the 19th asked unanimous consent that Senator Johnson of the 1st be excused. The consent was granted, and Senator Johnson was excused.

Senator Henson of the 41st asked unanimous consent that Senator Ramsey of the 43rd be excused. The consent was granted, and Senator Ramsey was excused.

The roll was called and the following Senators answered to their names:

Adelman	Heath	Seay
Balfour	Henson	Shafer,D
Brown	Hill,Jack	Smith
Butler	Hill,Judson	Staton
Carter	Hooks	Stoner
Chance	Hudgens	Tarver
Chapman	Jones	Tate
Cowsert	Moody	Thomas,D
Davenport	Mullis	Thomas,R
Douglas	Murphy	Thompson,S
Fort	Orrock	Tolleson
Goggans	Pearson	Unterman
Golden	Powell	Weber
Grant	Reed	Whitehead
Hamrick	Rogers	Wiles
Harp	Schaefer	Williams
Hawkins	Seabaugh	

Not answering were Senators:

Bulloch (Excused)	Harbison (Excused)	Johnson (Excused)
Meyer von Bremen (Excused)	Ramsey (Excused)	Thompson, C. (Excused)

The members pledged allegiance to the flag.

Senator Jones of the 10th introduced the chaplain of the day, Reverend Kenyatta Bush of McDonough, Georgia, who offered scripture reading and prayer.

Senator Orrock of the 36th introduced the doctor of the day, Dr. Eric Benning.

The following resolutions were read and adopted:

SR 85. By Senator Moody of the 56th:

A RESOLUTION commending the Roswell High School Hornets football team; and for other purposes.

SR 86. By Senator Unterman of the 45th:

A RESOLUTION honoring and remembering the life of Ms. Onnie Lucille Johnson; and for other purposes.

SR 88. By Senators Hill of the 4th and Whitehead, Sr. of the 24th:

A RESOLUTION recognizing and commending Howard A. Tyler; and for other purposes.

SR 89. By Senators Hill of the 4th, Whitehead, Sr. of the 24th, Hill of the 32nd and Wiles of the 37th:

A RESOLUTION recognizing and commending Officer Matthew Buehler; and for other purposes.

SR 90. By Senators Hill of the 4th, Whitehead, Sr. of the 24th and Harp of the 29th:

A RESOLUTION recognizing and commending Mitchell Oliver; and for other purposes.

SR 91. By Senator Harbison of the 15th:

A RESOLUTION honoring and remembering the life of Walter T. Lunsford, Sr.; and for other purposes.

SR 92. By Senator Harbison of the 15th:

A RESOLUTION commending and recognizing New Horizons Employees Achieving Today; and for other purposes.

SENATE RULES CALENDAR
FRIDAY, JANUARY 26, 2007
NINTH LEGISLATIVE DAY

SB 19 Transportation, Department of; pay costs of removal, relocation, or adjustment of utility facilites necessitated by construction of public roads (TRANS-24th)

- SB 24 Computer Security; persons provide identifying information by falsely representing themselves to be a business; definitions; penalties (Substitute)(S&T-18th)
- SR 49 Justice, Dept. of U.S.; urged to oppose the proposed unsolicited takeover of Delta Air Lines (ECD-51st)
- SB 15 Drivers' Licenses; suspended/revoke; change certain provisions (JUDY-37th)

Respectfully submitted,

/s/ Balfour of the 9th, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 19. By Senators Whitehead, Sr. of the 24th, Williams of the 19th, Goggans of the 7th, Chance of the 16th, Hill of the 4th and others:

A BILL to be entitled an Act to amend Code Section 32-6-170 of the O.C.G.A., relating to the authority of the Department of Transportation to pay costs of removal, relocation, or adjustment of certain utility facilities necessitated by construction of public roads, so as to allow the payment of the costs of certain facilities where the cost is in the public interest and the work is performed by the department's contractor; to amend Code Section 32-6-171 of the O.C.G.A., relating to the authority of the department to order the removal, relocation, or adjustment of utility facilities occupying any part of the public road system, so as to provide that a utility that fails to remove, relocate, or adjust a facility in a timely manner shall be responsible for failure to comply; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Heath	Y Seabaugh
Y Balfour	Henson	Y Seay
Y Brown	Y Hill,Jack	Y Shafer,D
E Bulloch	Y Hill,Judson	Y Smith
Y Butler	Y Hooks	Y Staton
Y Carter	Y Hudgens	Y Stoner
Y Chance	E Johnson	Y Tarver

Y Chapman	Y Jones	Y Tate
Y Cowsert	Y Me V Bremen	Y Thomas,D
Y Davenport	Y Moody	Y Thomas,R
Y Douglas	Y Mullis	Y Thompson,C
Y Fort	Y Murphy	Y Thompson,S
Y Goggans	Y Orrock	Y Tolleson
Y Golden	Y Pearson	Y Unterman
Y Grant	Y Powell	Y Weber
Y Hamrick	E Ramsey	Y Whitehead
E Harbison	Y Reed	Y Wiles
Y Harp	Y Rogers	Y Williams
Y Hawkins	Y Schaefer	

On the passage of the bill, the yeas were 51, nays 0.

SB 19, having received the requisite constitutional majority, was passed.

SB 24. By Senators Staton of the 18th, Shafer of the 48th, Chance of the 16th, Carter of the 13th, Rogers of the 21st and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer systems security, so as to prohibit persons from using the Internet or electronic mail to induce another to provide identifying information by falsely representing themselves to be a business without the authority or approval of the business; to provide definitions; to provide for penalties and sanctions; to provide for civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Science and Technology Committee offered the following substitute to SB 24:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer systems security, so as to prohibit persons from using the Internet or electronic mail to induce another to provide identifying information by falsely representing themselves to be a business without the authority or approval of the business; to provide definitions; to provide for penalties and sanctions; to provide for civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer systems security, is amended by adding a new Part 4 to read as follows:

"Part 4

16-9-109.1.

(a) As used in this part, the term:

(1) 'Electronic mail message' means a message sent to a unique destination, commonly expressed as a string of characters, consisting of a unique user name or mailbox, commonly referred to as the 'local part,' and a reference to an Internet domain, commonly referred to as the 'domain part,' whether or not displayed, to which an electronic message can be sent or delivered.

(2) 'Identifying information' means, with respect to an individual, any of the following:

(A) Social security number;

(B) Driver's license number;

(C) Bank account number;

(D) Credit card or debit card number;

(E) Personal identification number or PIN;

(F) Automated or electronic signature;

(G) Unique biometric data;

(H) Account password; or

(I) Any other piece of information that can be used to access an individual's financial accounts or to obtain goods or services.

(3) 'Interactive computer service' means an information service or system that enables computer access by multiple users to a computer server, including, specifically, a service or system that provides access to the Internet or to software services available on a server, and such systems operated or services offered by a library or educational institution.

(4) 'Internet' shall have the meaning as defined in paragraph (10) of Code Section 16-9-151.

(5) 'Web page' means a location that has a single uniform resource locator or other single location with respect to the Internet.

(b)(1) It shall be unlawful for any person with intent to defraud, by means of a web page, electronic mail message, or otherwise through use of the Internet, to solicit, request, or take any action to induce another person to provide identifying information by representing himself, herself, or itself to be a business without the authority or approval of such business.

(2) No person shall, with actual knowledge, conscious avoidance of actual knowledge, or willfully, possess with intent to use in a fraudulent manner, sell, or distribute any identifying information obtained in violation of paragraph (1) of this subsection.

(c) Any person who intentionally violates subsection (b) of this Code section shall be guilty of a felony and, upon conviction thereof, shall be sentenced to serve not less than one nor more than 20 years in prison or to pay a fine of not less than \$1,000.00 nor more than \$500,000.00, or both.

(d) The following persons may bring an action against a person who violates or is in violation of subsection (b) of this Code section:

(1) Any person who is engaged in the business of providing Internet access service to the public, owns a web page, or owns a trademark and is adversely affected by a violation of subsection (b) of this Code section. An action brought under this paragraph may seek to recover the greater of actual damages or \$500,000.00; or

(2) An individual who is adversely affected by a violation of subsection (b) of this Code section, but only against a person who has directly violated subsection (b) of this Code section. An action brought under this paragraph may seek to enjoin further violations of subsection (b) of this Code section and to recover the greater of three times the amount of actual damages or \$5,000.00 for each violation.

(e) The Attorney General or a district attorney may bring an action against a person who violates or is in violation of subsection (b) of this Code section to enjoin further violations of subsection (b) of this Code section and to recover a civil penalty not to exceed \$2,500.00 for each violation.

(f) In a civil action pursuant to subsection (d) of this Code section, a court may, in addition to the remedies provided in such subsection, increase the recoverable damages to an amount up to three times the damages otherwise recoverable under subsection (d) of this Code section in cases in which the defendant has engaged in a pattern and practice of violating subsection (b) of this Code section or award costs of the action and reasonable attorney's fees to a prevailing plaintiff, or both.

(g) The remedies provided in this Code section do not preclude the seeking of any other remedies, including criminal remedies, under any other applicable provision of law.

(h) For purposes of subsection (d) of this Code section, multiple violations of subsection (b) of this Code section resulting from any single action or conduct shall constitute one violation.

(i)(1) For the purposes of this subsection, the term 'employer' includes a business entity's officers, directors, parent corporation, subsidiaries, affiliates, and other corporate entities under common ownership or control within a business enterprise. No employer may be held criminally or civilly liable under this Code section as a result of any actions taken:

(A) With respect to computer equipment used by its employees, contractors, subcontractors, agents, leased employees, or other staff which the employer owns, leases, or otherwise makes available or allows to be connected to the employer's network or other computer facilities when such equipment is used for an illegal purpose without the employer's knowledge, consent, or approval; or

(B) By employees, contractors, subcontractors, agents, leased employees, or other staff who misuse an employer's computer equipment for an illegal purpose without

the employer's knowledge, consent, or approval.

(2) No person shall be held criminally or civilly liable under this Code section when its protected computers, computer equipment, or software product has been used by unauthorized users to violate this Code section or other laws without such person's knowledge, consent, or approval.

(j) This Code section shall not apply to a telecommunications provider's or Internet service provider's good faith transmission or routing of, or intermediate temporary storing or caching of, identifying information."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, the yeas were 40, nays 0, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Heath	Y Seabaugh
Y Balfour	Y Henson	Y Seay
Y Brown	Y Hill,Jack	Y Shafer,D
E Bulloch	Y Hill,Judson	Y Smith
Y Butler	Y Hooks	Y Staton
Y Carter	Y Hudgens	Y Stoner
Y Chance	E Johnson	Y Tarver
Y Chapman	Y Jones	Y Tate
Y Cowsert	Y Me V Bremen	Y Thomas,D
Y Davenport	Y Moody	Y Thomas,R
Y Douglas	Y Mullis	Y Thompson,C
Y Fort	Y Murphy	Y Thompson,S
Y Goggans	Y Orrock	Y Tolleson
Y Golden	Y Pearson	Y Unterman
Y Grant	Y Powell	Y Weber
Y Hamrick	E Ramsey	Y Whitehead
E Harbison	Y Reed	Y Wiles
Y Harp	Y Rogers	Y Williams
Y Hawkins	Y Schaefer	

On the passage of the bill, the yeas were 52, nays 0.

SB 24, having received the requisite constitutional majority, was passed by substitute.

SR 49. By Senators Pearson of the 51st, Mullis of the 53rd and Heath of the 31st:

A RESOLUTION urging the United States Department of Justice to oppose the proposed unsolicited takeover of Delta Air Lines; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Adelman	Y Heath	Y Seabaugh
Y Balfour	Y Henson	Y Seay
Y Brown	Y Hill,Jack	Y Shafer,D
E Bulloch	Y Hill,Judson	Y Smith
Y Butler	Y Hooks	Y Staton
Y Carter	Y Hudgens	Y Stoner
Y Chance	E Johnson	Y Tarver
Y Chapman	Y Jones	Y Tate
Y Cowsert	Y Me V Bremen	Y Thomas,D
Y Davenport	Y Moody	Y Thomas,R
Y Douglas	Y Mullis	Y Thompson,C
Y Fort	Y Murphy	Y Thompson,S
Y Goggans	Y Orrock	Y Tolleson
Y Golden	Y Pearson	Y Unterman
Y Grant	Y Powell	Y Weber
Y Hamrick	E Ramsey	Y Whitehead
E Harbison	Y Reed	Y Wiles
Y Harp	Y Rogers	Y Williams
Y Hawkins	Y Schaefer	

On the adoption of the resolution, the yeas were 52, nays 0.

SR 49, having received the requisite constitutional majority, was adopted.

Senator Seay of the 34th asked unanimous consent that Senator Reed of the 35th be excused. The consent was granted, and Senator Reed was excused.

Senator Seay of the 34th asked unanimous consent that Senator Orrock of the 36th be excused. The consent was granted, and Senator Orrock was excused.

Senator Brown of the 26th asked unanimous consent that Senator Fort of the 39th be excused. The consent was granted, and Senator Fort was excused.

SB 15. By Senators Wiles of the 37th, Rogers of the 21st, Mullis of the 53rd and Hill of the 32nd:

A BILL to be entitled an Act to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to change certain provisions relating to driver's license requirement, surrender of prior licenses, and prohibition of local licenses; to change certain provisions relating to driving while license suspended or revoked; to specify punishments for driving without being licensed; to amend Code Section 42-4-14 of the Official Code of Georgia Annotated, relating to determination of nationality of person charged with felony or driving under the influence and confined in a jail facility, so as to provide for determination of nationality of person convicted of driving without being licensed; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senators Thompson of the 33rd and Meyer von Bremen of the 12th offered the following amendment #1:

Amend SB 15 by striking on line 17 of page (3) the word nationality and inserting in lieu thereof the phrase; citizenship or legal resident status,.

Senator Thompson of the 33rd asked unanimous consent that his amendment #1 be withdrawn. The consent was granted, and amendment #1 was withdrawn.

Senator Wiles of the 37th offered the following amendment #2:

Amend SB 15 (LC 25 4598) by striking line 11 of page 2 and inserting in lieu thereof the following:

more than \$1,000.00; provided, however, that the court may suspend the period of imprisonment if at the time of the offense the person convicted had newly established residency in this state within the 60 days immediately prior to the offense, had in his or her possession a valid driver's license issued by another state, and, for good cause shown, had not yet obtained a driver's license issued by this state as required. For the second or ~~or subsequent~~ conviction within five years, as

On the adoption of the amendment, the yeas were 40, nays 0, and the Wiles amendment #2 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Heath	Y Seabaugh
Y Balfour	Henson	N Seay
N Brown	Y Hill,Jack	Y Shafer,D
E Bulloch	Y Hill,Judson	N Smith
N Butler	Y Hooks	Y Staton
Y Carter	Y Hudgens	Y Stoner
Y Chance	E Johnson	Y Tarver
Y Chapman	N Jones	Y Tate
N Cowsert	Y Me V Bremen	Y Thomas,D
N Davenport	Y Moody	N Thomas,R
Y Douglas	Mullis	Y Thompson,C
E Fort	Y Murphy	Y Thompson,S
Y Goggans	E Orrock	Y Tolleson
Y Golden	Y Pearson	Y Unterman
Y Grant	Y Powell	Y Weber
Y Hamrick	Y Ramsey	Y Whitehead
E Harbison	E Reed	Y Wiles
Y Harp	Y Rogers	Y Williams
Y Hawkins	Y Schaefer	

On the passage of the bill, the yeas were 40, nays 8.

SB 15, having received the requisite constitutional majority, was passed as amended.

Senator Williams of the 19th moved that the Senate stand in recess pursuant to HR 11 until 5:00 p.m., then adjourn until 1:00 p.m. Monday, January 29, 2007.

At 10:33 p.m. the President announced that the motion prevailed.