

**SENATE JOURNAL
63RD LEGISLATURE
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 9, 2013

Senate Chambers
State Capitol

Senate convened at 8:01 a.m. President Essmann presiding. Invocation by Father Richard Francesco. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Larsen, F. Moore, Priest, and Rosendale, excused. Quorum present.

BILLS AND JOURNALS (Buttrey, Chair): 3/9/2013

Correctly printed: **HB 26, HB 27, HB 66, HB 68, HB 70, HB 82, HB 89, HB 136, HB 142, HB 270, HB 305, HB 308, HB 337, HB 356, HB 389.**

Correctly engrossed: **SB 84, HB 179, HB 206, HB 264, HB 463.**

Transmitted to the House: **HB 199, HB 243.**

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Peterson, Chair): 3/8/2013
HB 317, be concurred in. Report adopted.
HB 318, be concurred in. Report adopted.

ENERGY AND TELECOMMUNICATIONS (Olson, Chair): 3/7/2013
SR 12, be adopted. Report adopted.
SR 13, be adopted. Report adopted.

NATURAL RESOURCES (Vincent, Chair): 3/8/2013
SR 10, preliminary report, be adopted. Report adopted.
HB 59, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 3/8/2013

SB 123, introduced by Van Dyk
SB 164, introduced by Keane

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 3/8/2013

SB 41, introduced by Buttrey

House bills passed and transmitted to the Senate for concurrence:

3/8/2013

HB 313, introduced by Schreiner

HB 465, introduced by Blyton

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

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

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

HB 45 - Senator Murphy moved consideration of **HB 45** be passed for the day. Motion withdrawn.

HB 45 - Senator Driscoll moved **HB 45** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 46

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Larsen, Moore, Priest, Rosendale.
Total 4

HB 131 - Senator Blewett moved **HB 131** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 46

Nays: None.
Total 0

Absent or not voting: None.

Total 0

Excused: Larsen, Moore, Priest, Rosendale.

Total 4

HB 194 - Senator Augare moved **HB 194** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy.

Total 38

Nays: D. Brown, Caferro, Keane, Sales, Tropila, Wanzenried, Wittich, Mr. President.

Total 8

Absent or not voting: None.

Total 0

Excused: Larsen, Moore, Priest, Rosendale.

Total 4

HB 258 - Senator Dick Barrett moved **HB 258** be concurred in. Motion **failed** as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jergeson, Kaufmann, Keane, Malek, Phillips, Sesso, Stewart-Peregoy, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 21

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Fielder, Jackson, Jent, Jones, Lewis, Murphy, Olson, Peterson, Ripley, Sales, Sonju, Taylor, Thomas, Tropila, Vincent, Walker, Webb, Wittich, Mr. President.

Total 25

Absent or not voting: None.

Total 0

Excused: Larsen, Moore, Priest, Rosendale.

Total 4

HB 258 - Senator Wittich moved **HB 258** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Fielder, Jackson, Jent, Jones, Lewis, Murphy, Olson, Peterson, Ripley, Sales, Sonju, Taylor, Thomas, Tropila, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 27

Nays: Augare, Barrett Dick, Blewett, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jergeson, Kaufmann, Keane, Malek, Phillips, Sesso, Stewart-Peregoy, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 19

Absent or not voting: None.
Total 0

Excused: Larsen, Moore, Priest, Rosendale.
Total 4

Senator Wittich moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair Webb moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Lewis, Malek, Murphy, Olson, Peterson, Ripley, Sales, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 36

Nays: Barrett Dick, Boulanger, Caferro, Facey, Kaufmann, Keane, Phillips, Sesso, Van Dyk, Wanzenried.
Total 10

Absent or not voting: None.
Total 0

Excused: Larsen, Moore, Priest, Rosendale.
Total 4

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 264 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 44

Nays: Facey, Van Dyk.
Total 2

Absent or not voting: None.
Total 0

Excused: Larsen, Moore, Priest, Rosendale.
Total 4

HB 142 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 46

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Larsen, Moore, Priest, Rosendale.
Total 4

HB 179 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 46

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Larsen, Moore, Priest, Rosendale.
Total 4

SPECIAL ORDERS OF THE DAY

Senator Taylor thanked the pages for their service this week.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 1:00 p.m., Monday, March 11, 2013, the fifty-second legislative day. Motion carried.

Senate adjourned at 8:43 a.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate