

**SENATE JOURNAL
60TH LEGISLATURE
FORTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 7, 2007

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Cooney presiding. Invocation by Rev. Joel Kallberg, Assembly of God Church, Boulder, Montana. Pledge of Allegiance to the Flag.

Roll Call. Senator Elliott excused. Quorum present.

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

Total 42

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

Total 7

Absent or not voting: None.

Total 0

Excused: Elliott.

Total 1

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Cocchiarella, Chairman): 3/7/2007

HB 72, be concurred in. Report adopted.

HB 76, be concurred in. Report adopted.

HB 106, be concurred in. Report adopted.

HB 137, be concurred in. Report adopted.

HB 255, be concurred in. Report adopted.

FISH AND GAME (Tropila, Chairman): 3/7/2007

HB 38, be concurred in. Report adopted.

HB 115, be concurred in. Report adopted.

HB 226, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Pease, Chairman): 3/7/2007

SB 219, do pass. Report adopted.

HB 274, be concurred in. Report adopted.

JUDICIARY (Laslovich, Chairman): 3/7/2007

HB 82, be concurred in. Report adopted.

HB 84, be concurred in. Report adopted.

HB 162, be concurred in. Report adopted.

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LOCAL GOVERNMENT (Gillan, Chairman):

3/7/2007

HB 22, be concurred in. Report adopted.

HB 102, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

3/7/2007

HB 26, introduced by McGillvray

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 584, introduced by Jopek, referred to Natural Resources and Energy.

HB 761, introduced by French, referred to Education and Cultural Resources.

HB 766, introduced by Sonju, referred to Business, Labor, and Economic Affairs.

HB 782, introduced by Caferro, referred to Public Health, Welfare and Safety.

HB 795, introduced by Hands, referred to Local Government.

HB 13, introduced by Sesso, referred to Finance and Claims.

HB 92, introduced by Franklin, referred to Public Health, Welfare and Safety.

HB 118, introduced by Henry, referred to Public Health, Welfare and Safety.

HB 157, introduced by Caferro, referred to Public Health, Welfare and Safety.

HB 166, introduced by Raser, referred to Natural Resources and Energy.

HB 299, introduced by Milburn, referred to Judiciary.

HB 340, introduced by Wells, referred to Judiciary.

HB 359, introduced by Dutton, referred to Public Health, Welfare and Safety.

HB 415, introduced by Reinhart, referred to Local Government.

HB 420, introduced by Koopman, referred to Judiciary.

HB 423, introduced by K. Peterson, referred to Judiciary.

HB 425, introduced by Sesso, referred to Local Government.

HB 427, introduced by Bergren, referred to Natural Resources and Energy.

HB 435, introduced by Parker, referred to Judiciary.

HB 515, introduced by Glaser, referred to Education and Cultural Resources.

HB 544, introduced by Olson, referred to State Administration.

HB 557, introduced by Heinert, referred to Natural Resources and Energy.

HB 577, introduced by Caferro, referred to Public Health, Welfare and Safety.

HB 613, introduced by Bergren, referred to Fish and Game.

HB 728, introduced by McChesney, referred to Natural Resources and Energy.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 41, introduced by Furey, referred to State Administration.

**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 Hansen 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 431 - Senator J. Tropila moved **HB 431** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, 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 48

Nays: O'Neil.
Total 1

Absent or not voting: None.
Total 0

Excused: Elliott.
Total 1

HJR 6 - Senator Hawks moved **HJR 6** be concurred in. Motion carried as follows:

Yeas: Brueggeman, Cobb, 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, Cocchiarella, 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: Elliott.
Total 1

HB 122 - Senator Black moved **HB 122** be concurred in. Motion carried unanimously.

HB 126 - Senator Black moved **HB 126** be concurred in. Motion carried unanimously.

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Hansen moved the Committee of the Whole report be adopted. Report adopted unanimously.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn until 1:00 p. m., Thursday, March 8, 2007. Motion carried.

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Senate adjourned at 1:44 p.m.

JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate