

**SENATE JOURNAL
60TH LEGISLATURE
FIFTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 17, 2007

Senate Chambers
State Capitol

Senate convened at 8:00 a.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. Senators Cobb, Juneau, Story, Ryan, Gallus, Harrington excused. Quorum present.

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, Hawks, Jackson, Jent, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 41

Nays: Lind, McGee.

Total 2

Absent or not voting: None.

Total 0

Excused: Cobb, Gallus, Hansen, Harrington, Juneau, Ryan, Story.

Total 7

REPORTS OF STANDING COMMITTEES

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

3/17/2007

HB 409, be amended as follows:

1. Page 1.

Following: line 20

Insert: "(3) "Line-make" means a type of motorsports vehicle produced by a manufacturer."

Renumber: subsequent subsections

2. Page 2, line 2.

Strike: "(1)"

3. Page 2, line 7.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsections

4. Page 2, line 25.

Strike: "subsection (2)"

Insert: "61-4-208(3)(b) or (3)(c)"

5. Page 3, line 3.

Strike: "(1)(h)"

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6. Page 3, line 28.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsection

7. Page 4, line 2.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

8. Page 5, line 5 through page 6, line 6.

Strike: subsection (2) in its entirety

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

FIRST READING AND COMMITMENT OF BILLS

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

HB 25, introduced by Olson, referred to Natural Resources and Energy.

HB 57, introduced by Franklin, referred to Public Health, Welfare and Safety.

HB 96, introduced by Kerns, referred to Finance and Claims.

HB 284, introduced by Augare, referred to Fish and Game.

HB 407, introduced by Vincent, referred to Finance and Claims.

HB 583, introduced by Jopek, referred to Natural Resources and Energy.

HB 611, introduced by Jacobson, referred to Natural Resources and Energy.

HB 811, introduced by Wells, referred to Finance and Claims.

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

HJR 14, introduced by Heinert, referred to Natural Resources and Energy.

HJR 17, introduced by Cohenour, referred to Agriculture, Livestock and Irrigation.

HJR 22, introduced by W. Jones, referred to Public Health, Welfare and Safety.

HJR 24, introduced by Hands, referred to Natural Resources and Energy.

HJR 26, introduced by Callahan, referred to Public Health, Welfare and Safety.

HJR 28, introduced by Cohenour, referred to Business, Labor, and Economic Affairs.

HJR 33, introduced by Thomas, referred to Public Health, Welfare and Safety.

HJR 34, introduced by Van Dyk, referred to Natural Resources and Energy.

HJR 35, introduced by Ebinger, referred to Fish and Game.

HJR 36, introduced by Lambert, referred to Taxation.

HJR 38, introduced by Jore, referred to Judiciary.

HJR 39, introduced by Erickson, referred to Business, Labor, and Economic Affairs.

HJR 40, introduced by Windy Boy, referred to Natural Resources and Energy.

HJR 42, introduced by Wilmer, referred to Public Health, Welfare and Safety.

HJR 44, introduced by Gallik, referred to Public Health, Welfare and Safety.

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

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

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

SB 88 - Senator Hawks moved the house amendments for **SB 88**, as amended, do pass. Motion carried unanimously.

SB 21 - Senator Larson moved the house amendments for **SB 21**, as amended, do pass. Motion carried unanimously.

HB 86 - Senator Balyeat moved **HB 86** be concurred in. Motion carried unanimously.

SB 237 - Senator Brueggeman moved the house amendments to **SB 237**, as amended, be concurred. Motion carried unanimously.

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Larson 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 176 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, Hawks, Jackson, Jent, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 42

Nays: Shockley.

Total 1

Absent or not voting: None.

Total 0

Excused: Cobb, Gallus, Hansen, Harrington, Juneau, Ryan, Story.

Total 7

HB 190 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, Hawks, Jackson, Jent, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 41

Nays: Lind, McGee.

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Total 2

Absent or not voting: None.

Total 0

Excused: Cobb, Gallus, Hansen, Harrington, Juneau, Ryan, Story.

Total 7

HB 132 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gebhardt, Gillan, 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 43

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Cobb, Gallus, Hansen, Harrington, Juneau, Ryan, Story.

Total 7

HB 140 concurred in as follows:

Yeas: Bales, Black, Cocchiarella, Elliott, Essmann, Gebhardt, Gillan, Hawks, Jent, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, O'Neil, Pease, Schmidt, Shockley, Smith, Squires, Tash, M. Tropila, Wanzenried, Weinberg, Williams.

Total 28

Nays: Balyeat, Barkus, Brown, Brueggeman, Curtiss, Esp, Jackson, Lind, McGee, Perry, Peterson, Stapleton, Steinbeisser, Story, J. Tropila, Mr. President.

Total 16

Paired: Moss, Aye; Story, No.

Absent or not voting: None.

Total 0

Excused: Cobb, Gallus, Hansen, Harrington, Juneau, Ryan.

Total 6

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn until 1:00 p.m., Monday, March 19, 2007. Motion carried.

Senate adjourned at 8:25 a.m.

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JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate