

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

Helena, Montana
March 19, 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 Schmidt excused. All members present. Quorum present.

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, Pease, Perry, Peterson, Ryan, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 42

Nays: Balyeat, Esp, Gebhardt, Lind, McGee, O'Neil, Shockley.

Total 7

Absent or not voting: None.

Total 0

Excused: Schmidt.

Total 1

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hansen, Chairman): 3/19/2007
HB 503, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Weinberg, Chairman): 3/19/2007
HB 64, be concurred in. Report adopted.
HB 92, be concurred in. Report adopted.
HB 98, be concurred in. Report adopted.
HB 117, be amended as follows:

1. Page 3, line 19.

Strike: "number of"

2. Page 3, line 21.

Strike: "number of"

3. Page 3, line 24.

Strike: "NUMBER OF"

4. Page 3, line 26.

Strike: "number of"

5. Page 3, line 27.

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Strike: "number of"

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

HB 118, be concurred in. Report adopted.

HB 120, be concurred in. Report adopted.

HB 157, be concurred in. Report adopted.

STATE ADMINISTRATION (Squires, Chairman):

3/19/2007

HB 105, be concurred in. Report adopted.

HB 177, be concurred in. Report adopted.

HB 206, be concurred in. Report adopted.

HB 207, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 99, introduced by Olson

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 195, introduced by Lange

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 196, introduced by Lange

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 240, introduced by Nooney

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 329, introduced by Windy Boy

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 805, introduced by Ripley

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 806, introduced by Beck

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

HB 807, introduced by Wells

House bill passed and transmitted to the Senate for concurrence:

3/19/2007

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HB 809, introduced by Glaser

**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 Brown in the chair.

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

HB 83 - Senator Laslovich moved consideration of **HB 83** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 28 - Senator Shockley moved **HB 28** be concurred in. Motion carried with Senator Gebhardt, Kaufmann voting nay.

HB 400 - Senator Williams moved consideration of **HB 400** be passed for the day. Motion carried.

HB 662 - Senator Esp moved **HB 662** be concurred in. Motion carried unanimously.

HB 378 - Senator Cocchiarella moved **HB 378** be concurred in. Motion carried with Senator Story voting nay.

HB 124 - Senator Laslovich moved **HB 124** be concurred in. Motion carried with Senator McGee voting nay.

HB 357 - Senator Lewis moved **HB 357** be concurred in. Motion carried with Senator McGee voting nay.

HB 58 - Senator Cocchiarella moved **HB 58** be concurred in. Motion carried as follows:

Yeas: Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Ryan, Schmidt, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 35

Nays: Bales, Balyeat, Barkus, Black, Esp, Essmann, McGee, O'Neil, Perry, Peterson, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 15

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 75 - Senator Bales moved **HB 75** be concurred in. Motion carried unanimously.

HB 623 - Senator Gebhardt moved **HB 623** be concurred in. Motion carried unanimously.

HB 347 - Senator Kitzenberg moved **HB 347** be concurred in. Motion carried unanimously.

HB 83 - Senator Williams moved consideration of **HB 83** be passed for the day. Motion carried.

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Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Brown 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:

SB 21, as amended by the House, 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, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 88, as amended by the House, 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, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 237, as amended by the House, 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, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.

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Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 86 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, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

LEGISLATIVE ADMINISTRATION (Smith, Chairman):

3/19/2007

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 9:00 a.m., Saturday, March 17, 2007:

<u>TITLE</u>	<u>NAME</u>
Pages:	Brandon Norick, Columbia Falls
	Frances Eagleman, Havre
	Tamara Ruffatto, Brockton
	Alexandra Hurley, Anaconda
	Ashley Sue Ames, Helena
	Robin Patrick, Hingham

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, March 19, 2007:

<u>TITLE</u>	<u>NAME</u>
Pages:	Kelsey Salomon, Ronan
	Mallory Hugs, Pryor

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Lyndsi Jonart, Butte
Max Miller, Laurel
Jessi Manchester, Butte
Eugen Riordan, Butte
Neil Gavigan, Belgrade
Zackary Rambo, Gildford

Report Adopted.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn until 1:00 p.m., Tuesday, March 20, 2007. Motion carried.

Senate adjourned at 2:00 p.m.

JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate