

**SENATE JOURNAL
61ST LEGISLATURE
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 23, 2009

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Story presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senator Windy Boy, excused. Quorum present.

BILLS AND JOURNALS:

3/23/2009

Correctly printed: **SB 264, SB 429, SB 467, SJR 30, HB 21, HB 155, HB 193, HB 195, HB 291, HB 307, HB 322, HB 326, HB 354, HB 372, HB 387, HB 397, HB 407, HB 621.**

Correctly engrossed: **SB 37.**

Correctly enrolled: **SB 20, SB 21, SB 141, SB 173, SB 184, SB 197, SB 323, SB 368, SB 409, SR 9.**

Delivered to the Governor for approval at 9:50 a.m., March 23, 2009: **SB 47, SB 49, SB 216.**

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Bales, Chairman):
SB 234, introduced bill, be amended as follows:

3/23/2009

1. Title, line 8.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 11.

Following: line 6

Insert: "NEW SECTION. Section 9. Applicability. [This act] applies to contracts or policies issued or renewed on or after [the effective date of this act]."

And, as amended, do pass. Report adopted.

JUDICIARY (Perry, Chairman):
SB 379, introduced bill, be amended as follows:

3/23/2009

1. Page 1, line 12.

Following: "knowing"

Strike: "or in reckless disregard of the fact"

2. Page 1, line 14 through line 15.

Following: "knowing" on line 14

Strike: remainder of line 14 through "fact" on line 15

3. Page 1, line 16 through line 17.

Following: "knowing" on line 16

Strike: remainder of line 16 through "fact" on line 17

4. Page 1, line 20 through line 21.

Strike: subsection (a) in its entirety

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Renumber: subsequent subsections

5. Page 2, line 16.

Strike: "including"

Insert: "excluding"

6. Page 2, line 19.

Strike: "Real property or commercial"

Insert: "Commercial"

7. Page 2, line 20.

Strike: "property"

Insert: "commercial fixtures or equipment"

8. Page 2, line 22.

Strike: "real property or"

9. Page 2, line 28.

Following: line 27

Insert: "(4) This section does not apply to a church, church property, or the property of a corporation or other organization exempt from taxation pursuant to 26 U.S.C. 501(c)(3)."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 177, be amended as follows:

1. Page 1, line 27.

Following: line 26

Insert: "(3) A sexual or violent offender who is subject to lifetime supervision by the department is not eligible for a conditional discharge from supervision."

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

HB 269, be amended as follows:

1. Title, line 4 through line 5.

Following: "'AN ACT" on line 4

Strike: remainder of line 4 through "DETERMINE" on line 5

Insert: "REVISING"

2. Page 1, line 20.

Following: "\$25"

Strike: "a specified number of dollars"

Insert: "every \$75"

3. Page 1, line 21 through line 22.

Following: "fine" on line 21

Strike: remainder of line 21 through "jail" on line 22

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4. Page 2, line 8.

Following: "\$20"

Strike: "a specified number of dollars"

Insert: "each \$75"

5. Page 2, line 8 through line 10.

Following: "fine" on line 8

Strike: remainder of line 8 through "jail" on line 10

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

HB 362, be amended as follows:

1. Page 2, line 23.

Following: "materials,"

Strike: "naturally occurring biological diseases,"

Insert: "outbreak of disease,"

2. Page 4, line 17.

Following: "medicine."

Insert: "The provisions of [section 6] do not apply to the state of emergency unless the order or proclamation includes a provision authorizing the practice of disaster medicine."

3. Page 5, line 1.

Following: "order"

Strike: "must specify the need to allow for"

Insert: "or proclamation may authorize"

4. Page 5, line 2.

Following: "medicine."

Insert: "The provisions of [section 6] do not apply to the state of disaster unless the order or proclamation includes a provision authorizing the practice of disaster medicine."

5. Page 5, line 19 through line 20.

Following: the second "injury" on line 19

Strike: remainder of line 19 through "EMERGENCY," on line 20

6. Page 5, line 21.

Following: "misconduct"

Insert: "and as a result of"

7. Page 5, line 22.

Following: line 21

Insert: "(a) an act or omission arising out of activities undertaken in response to the disaster or emergency;"

Renumber: subsequent subsections

8. Page 5, line 22.

Following: "(a)"

Strike: "as a result of"

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9. Page 5, line 23.

Following: "(b)"

Strike: "as a result of"

10. Page 6, line 3.

Following: "SUBDIVISION"

Insert: "acting within the scope of the provider's employment or duties"

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

HB 403, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION (Curtiss, Chairman):

3/23/2009

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 1:00 p.m., Saturday, March 21, 2009:

TITLE

NAME

Pages:

Chance Wilson, Scobey
Jackson Bolstad, Homestead
Jamie Balyeat, Bozeman
Danielle "Danie" Jacobs, Great Falls
Kelsey Barker, Augusta
Lillian Alvernaz, Glasgow
Sean Ryan, Great Falls

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, March 23, 2009:

TITLE

NAME

Pages:

Caitlin Caltabiano, Whitefish
Shelby DeMars, Dillon
Justin Schaaf, Glendive
Clive Ogle, White Sulphur Springs
Joshua Erger, Billings
Alexandra "Alex" Bronk, Darby

Report Adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

3/21/2009

SB 21, introduced by Story

SB 141, introduced by J. Tropila

SB 173, introduced by Murphy

SB 184, introduced by Balyeat

SB 197, introduced by Laslovich

SB 323, introduced by Erickson

SB 368, introduced by Erickson

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SB 409, introduced by Brueggeman

House bills passed and transmitted to the Senate for concurrence: 3/21/2009

HB 246, introduced by Boniek

HB 425, introduced by Pomnichowski

Senate amendments to House bills concurred in: 3/21/2009

HB 324, introduced by Arntzen

HB 366, introduced by McGillvray

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/21/2009

SB 96, introduced by Jent

SB 269, introduced by R. Brown

SB 74, introduced by Laible

Conference Committee Report No.1 adopted: 3/21/2009

Senate bills returned **NOT CONCURRED** on third reading:

SB 299, introduced by J. Tropila

FIRST READING AND COMMITMENT OF BILLS

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

HB 246, introduced by Boniek, Bennett, Butcher, Curtiss, Randall, Warburton, referred to Business, Labor, and Economic Affairs.

HB 425, introduced by Pomnichowski, referred to Natural Resources.

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

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

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

SB 22 - Senator Murphy moved **SB 22** do pass. Motion carried as follows:

Yeas: Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Juneau, Kaufmann, Laible, Larsen, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke, Mr. President.

Total 40

Nays: Bales, Balyeat, Esp, Hinkle, Jent, Keane, Laslovich, Stewart-Peregoy, J. Tropila.

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Total 9

Absent or not voting: None.

Total 0

Excused: Windy Boy.

Total 1

SB 244 - Senator Balyeat moved **SB 244** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Windy Boy.

Total 1

Senator Windy Boy present at this time.

SB 446 - Senator Story moved **SB 446** do pass. Motion carried as follows:

Yeas: Bales, Barkus, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 43

Nays: Balyeat, Barrett, Esp, Essmann, Hinkle, Laible, Tutvedt.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 495 - Senator Story moved **SB 495** do pass. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.

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Total 43

Nays: Balyeat, R. Brown, Hinkle, Juneau, J. Tropila, M. Tropila, Wanzenried.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 498 - Senator Bales moved **SB 498** do pass. Motion carried as follows:

Yeas: Bales, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Keane, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 41

Nays: Balyeat, Barkus, Esp, Hinkle, Jackson, Juneau, Kaufmann, Laible, Shockley.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 54 - Senator Hinkle moved **HB 54** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 146 - Senator Black moved **HB 146** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser,

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Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 46

Nays: Barkus, Brenden, Esp, Hinkle.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 197 - Senator Balyeat moved **HB 197** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 221 - Senator Barkus moved **HB 221** be concurred in.

HB 221 - Senator Barkus moved **HB 221**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

Strike: "HUNTING SEASON"

Insert: "LICENSE YEAR"

2. Page 3, line 8 through line 9.

Strike: "THE LAST" on line 8 through "SEASON" on line 9

Insert: "January 16 of a license year"

Strike: "THE" on line 9

Insert: "that"

3. Page 5, line 3 through line 4.

Strike: "THE LAST" on line 3 through "SEASON" on line 4

Insert: "January 16 of a license year"

Strike: "THE" on line 4

Insert: "that"

Amendment adopted as follows:

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Yeas: Bales, Balyeat, Barkus, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: Barrett, Juneau.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 221 - Senator Barkus moved **HB 221**, as amended, be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 47

Nays: Erickson, Juneau, Kaufmann.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 243 - Senator McGee moved consideration of **HB 243** be passed for the day. Without objection, motion carried.

HB 317 - Senator J. Tropila moved **HB 317** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

HB 365 - Senator R. Brown moved **HB 365** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 593 - Senator Keane moved **HB 593** be concurred in.

HB 593 - Senator Gebhardt moved **HB 593**, second reading copy, be amended as follows:

1. Page 2.

Following: line 13

Insert: "(3) The person conducting the remedial action must have the landowner's consent before taking action under this section."

Renumber: subsequent subsection

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HB 593 - Senator Keane moved **HB 593**, as amended, be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: Jackson.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 622 - Senator Balyeat moved **HB 622** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barrett, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.

Total 40

Nays: Barkus, Black, Esp, Gallus, Hinkle, Jackson, Keane, Peterson, Ripley, Mr. President.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator McGee assumed the chair.

SB 74 - Conference Committee Report No. 1 - Senator Laible moved the Conference Committee report to **SB 74** be adopted. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman Laible 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 264 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 429 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: Juneau, M. Tropila.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 467 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 21 concurred in as follows:

Yeas: Balyeat, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Gallus, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Mr. President.

Total 44

Nays: Bales, Barkus, Essmann, Gebhardt, Tutvedt, Zinke.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 150 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Laible, Larsen, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Steinbeisser, J. Tropila, M. Tropila, Tutvedt, Windy Boy, Zinke, Mr. President.

Total 34

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Juneau, Kaufmann, Keane, Laslovich, Moss, Schmidt, Shockley, Squires, Stewart-Peregoy, Wanzenried, Williams.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HB 155 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 193 concurred in as follows:

Yeas: Barrett, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 44

Nays: Bales, Balyeat, Barkus, Black, Brenden, McGee.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 195 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke, Mr. President.

Total 48

Nays: Shockley, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

HB 291 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 47

Nays: Esp, Essmann, McGee.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 307 concurred in as follows:

Yeas: Bales, Balyeat, Barrett, Black, Branae, Brenden, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 44

Nays: Barkus, R. Brown, Hawks, Hinkle, McGee, Shockley.
Total 6

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 322 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

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Excused: None.
Total 0

HB 326 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: Esp, Gallus.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 354 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 372 concurred in as follows:

Yeas: Balyeat, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 43

Nays: Bales, Barkus, Barrett, Hinkle, McGee, Ripley, Steinbeisser.
Total 7

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

HB 387 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: Essmann.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 397 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 407 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 621 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke, Mr. President.

Total 46

Nays: Hinkle, McGee, Shockley, Windy Boy.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SPECIAL ORDERS OF THE DAY

Senator Barkus introduced the Pages for the week of March 23-28, 2009.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Peterson moved that the Senate adjourn until 1:00 p.m., Tuesday, March 24, 2009. Motion carried.

Senate adjourned at 2:45 p.m.

MARILYN MILLER
Secretary of the Senate

ROBERT STORY
President of the Senate