

**SENATE JOURNAL
62ND LEGISLATURE
NINTH LEGISLATIVE DAY**

Helena, Montana
January 12, 2011

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Peterson presiding. Invocation by Chaplain Keith Johnson. Pledge of Allegiance to the Flag. Roll Call. All members present, except Senator Caferro, excused, SD 6 vacant. Quorum present.

BILLS AND JOURNALS:

1/12/2011

Correctly printed: **SB 26, SB 31, SB 41, SB 57, SB 72.**
Correctly enrolled: **SR 1.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Balyeat, Chairman):
SB 27, introduced bill, be amended as follows:

1/11/2011

1. Page 1, line 29.
Following: "medicine,"
Insert: "acupuncture,"

And, as amended, do pass. Report adopted.

SB 32, do pass. Report adopted.
SB 63, introduced bill, be amended as follows:

1. Page 13, line 17.
Following: "since the"
Insert: "date of"

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Jones, Chairman):
SB 49, introduced bill, be amended as follows:

1/11/2011

1. Title, page 1, line 5.
Following: "PLATES;"
Insert: "DESIGNATING SMALL LICENSE PLATES AS THE DEFAULT SIZE FOR A TRAILER WITH A DECLARED WEIGHT OF LESS THAN 6,000 POUNDS; ALLOWING A PERSON REGISTERING A TRAILER WITH A DECLARED WEIGHT OF LESS THAN 6,000 POUNDS TO CHOOSE LARGE LICENSE PLATES;"

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2. Page 2, line 24.

Following: "pole trailers,"

Insert: "trailers with a declared weight of 6,000 pounds or more,"

3. Page 2, line 29.

Strike: "trailers,"

Following: "motorcycles"

Strike: " 1 "

4. Page 2, line 30.

Following: line 30

Insert: "(c) The department shall issue plates that are 4 inches wide and 7 inches in length for trailers with a declared weight of less than 6,000 pounds unless a person registering a trailer with a declared weight of less than 6,000 pounds requests plates that are 6 inches wide and 12 inches in length. A person registering a trailer shall pay all applicable fees for the plates chosen."

And, as amended, do pass. Report adopted.

Senator Caferro present.

FIRST READING AND COMMITMENT OF BILLS

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

SB 158, introduced by Facey, referred to Business, Labor, and Economic Affairs.

SB 159, introduced by Priest, referred to Business, Labor, and Economic Affairs.

SB 160, introduced by Vincent, G. Bennett, Cuffe, referred to Fish and Game.

SB 161, introduced by Jackson, Stahl, Regier, Harris, Skattum, Lewis, Steinbeisser, Howard, Kennedy, Kerns, Randall, Ingraham, Sonju, Balyeat, Vincent, Wagner, Brenden, Murphy, Hutton, Read, Beck, Debby Barrett, Taylor, Priest, Flynn, Blasdel, Knudsen, Buttrey, referred to Public Health, Welfare and Safety.

MOTIONS

Senator Murphy moved **SB 154** be moved from the Public Health, Welfare and Safety committee to the Judiciary committee.

Senator Shockley moved **SB 46** be moved from the Judiciary committee to the Business, Labor, and Economic Affairs committee.

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

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

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

SB 19 - Senator Shockley moved **SB 19** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Lake, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 47

Nays: Keane, Wittich.

Total 2

Absent or not voting: None.

Total 0

Excused: SD 6.

Total 1

SB 21 - Senator Shockley moved **SB 21** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: SD 6.

Total 1

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SB 31 - Senator Wanzenried moved **SB 31** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: SD 6.
Total 1

Senator Essmann moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Peterson in the chair. Chairman Zinke 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 26 passed as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 48

Nays: Vuckovich.
Total 1

Absent or not voting: None.
Total 0

Excused: SD 6.
Total 1

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SB 41 passed as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: SD 6.
Total 1

SB 72 passed as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: SD 6.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 1:00 p.m., Thursday, January 13, 2011. Motion carried.

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Senate adjourned at 1:30 p.m.

MARILYN MILLER
Secretary of the Senate

JIM PETERSON
President of the Senate

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