

**SENATE JOURNAL
62ND LEGISLATURE
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 19, 2011

Senate Chambers
State Capitol

Senate convened at 8:00 a.m. President Peterson presiding. Invocation by Chaplain Keith Johnson. Pledge of Allegiance to the Flag. Roll Call. All members present, except Senators Blewett, Gallus, excused. Quorum present.

BILLS AND JOURNALS:

2/19/2011

Correctly printed: **SB 114, SB 198, SB 225, SB 227, SB 254, SB 258, SB 269, SB 271, SB 275, SB 276, SB 278, SB 285, SB 292, SB 305, SB 307, SB 324, SB 361, SJR 10, SJR 14, HB 294.**

Correctly engrossed: **SB 81, SB 211, SB 294, SB 297, SB 301, SB 320, SB 330, SB 341, SB 342, SJR 12.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Balyeat, Chairman):
SB 352, introduced bill, be amended as follows:

2/18/2011

1. Title, page 1, line 5.

Following: "PASSENGER"

Insert: "AND COMMERCIAL"

2. Title, page 1, line 6.

Strike: "INDIVIDUAL'S DRIVING"

Insert: "EXPERIENCE"

3. Page 2.

Following: line 14

Insert: "(c) Special risk classifications may be established for commercial automobile policies. Special risk classifications for commercial automobile policies may be based upon favorable aspects of an insured's claims history that is 5 years old or older. Special risk classifications for commercial automobile policies may not be established based upon loss experience that is 5 years old or older."

Renumber: subsequent subsections

4. Page 4.

Following: line 7

Insert: "(b) An insurer may use no more than 5 years of loss experience when determining whether to refuse to insure, refuse to continue to insure, charge higher rates, or limit the amount of coverage available under a commercial automobile policy. An insurer may provide discounts to an insured under a commercial automobile policy based on favorable aspects of an insured's claims history that is 5 years old or older."

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Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Zinke, Chairman): 2/18/2011

SB 244, do pass. Report adopted.

SB 315, do pass. Report adopted.

SB 355, do pass. Report adopted.

HB 204, be concurred in. Report adopted.

HB 208, be concurred in. Report adopted.

JUDICIARY (Murphy, Chairman): 2/18/2011

SB 347, introduced bill, be amended as follows:

1. Title, line 4 through line 6.

Following: ""AN ACT" on line 4

Strike: remainder of line 4 through "IMPLICATIONS;" on line 6

2. Title, line 7.

Strike: "ACTIONS"

Insert: "PRIVATE PROPERTY ASSESSMENTS"

3. Title, line 8.

Following: "WEBSITE;"

Insert: "AND"

4. Title, line 8 through line 9.

Following: "AGENCY ACTION" on line 8

Strike: remainder of line 8 through "MCA" on line 9

Insert: "FOR FAILURE TO PROVIDE REQUIRED NOTICE"

5. Page 1, line 13 through page 5, line 9.

Strike: section 1 through section 4 in their entirety

Renumber: subsequent sections

6. Page 6, line 6.

Strike: "5"

Insert: "1"

7. Page 6, line 7.

Strike: "5"

Insert: "1"

8. Page 6, line 15 through line 20.

Strike: section 7 in its entirety

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Renumber: subsequent sections

9. Page 6, line 26.

Strike: "5 through 7"

Insert: "1 and 2"

10. Page 6, line 28.

Strike: "5 through 7"

Insert: "1 and 2"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Sonju, Chairman):

2/18/2011

SB 298, do pass. Report adopted.

SB 340, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "fire"

Insert: "controlled burning"

2. Page 1, line 19 through line 22.

Following: "that agreement" on line 19

Strike: "and" on line 19 through "section" on line 22

Insert: ", open burning may be conducted between October 1 and May 1 without obtaining a written permit or permission to set a fire. The person, entity, or representative of a person or entity shall:

(i) obtain air quality and ventilation forecasts before igniting or setting the fire; and

(ii) notify the county of the location of the burn area"

And, as amended, do pass. Report adopted.

SB 357, do pass. Report adopted.

SB 379, introduced bill, be amended as follows:

1. Title, line 10 through line 11.

Strike: "SUPERSEDING" on line 10 through "LAWS;" on line 11

2. Page 9, line 17 through line 18.

Strike: section 13 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Priest, Chairman):

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SB 351, do pass. Report adopted.

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STATE ADMINISTRATION (Shockley, Chairman): 2/18/2011
SB 374, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 2/18/2011

HB 81, introduced by Roberts
HB 134, introduced by Squires
HB 203, introduced by Menahan
HB 306, introduced by Berry
HB 310, introduced by Blyton
HB 312, introduced by C. Smith
HB 401, introduced by Arntzen
HB 402, introduced by Rosendale
HB 409, introduced by Beck
HB 414, introduced by Harris
HB 492, introduced by Howard

MOTIONS

Senator Shockley moved **SB 328** be moved from the State Administration committee to the Finance and Claims committee. Without objection, so ordered.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 388, introduced by Walker, referred to Education and Cultural Resources.

**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 Jent in the chair.

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

SB 272 - Senator Murphy moved **SB 272** do pass. Motion carried as follows:
Yeas: Augare, Balyeat, Barrett, Branae, Brown, Buttrey, Erickson, Essmann, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Kaufmann, Keane, Lake, Moore, Moss, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Stewart-Peregoy, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Zinke, Mr. President.
Total 36

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Nays: Arthun, Brenden, Caferro, Facey, Gallus, Jones, Larsen, Lewis, Mowbray, Steinbeisser, Tropila, Tutvedt, Williams.
Total 13

Absent or not voting: None.
Total 0

Excused: Blewett.
Total 1

SB 113 - Senator C. Williams moved consideration of **SB 113** be passed for the day. Without objection, so ordered.

SB 183 - Senator Brown moved **SB 183** do pass. Motion carried as follows:
Yeas: Arthun, Barrett, Brenden, Brown, Buttrey, Essmann, Gallus, Hamlett, Hinkle, Hutton, Jackson, Jones, Keane, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Mr. President.
Total 28

Nays: Augare, Balyeat, Branae, Caferro, Erickson, Facey, Gillan, Hawks, Jent, Kaufmann, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy, Wittich, Zinke.
Total 21

Absent or not voting: None.
Total 0

Excused: Blewett.
Total 1

SB 191 - Senator Erickson moved **SB 191** do pass. Motion carried as follows:
Yeas: Arthun, Augare, Balyeat, Barrett, Branae, Brown, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Shockley, Sonju, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 39

Nays: Brenden, Buttrey, Jackson, Lake, Priest, Ripley, Steinbeisser, Tutvedt, Vincent, Walker.
Total 10

Absent or not voting: None.
Total 0

Excused: Blewett.
Total 1

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SB 206 - Senator Jones moved **SB 206** do pass. Motion carried as follows:

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

Total 48

Nays: Stewart-Peregoy.

Total 1

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 228 - Senator Priest moved **SB 228** do pass. Motion carried as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 28

Nays: Augare, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 21

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 234 - Senator Sonju moved **SB 234** do pass. Motion carried as follows:

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

Total 44

Nays: Erickson, Hawks, Kaufmann, Moss, Van Dyk.

Total 5

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Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 236 - Senator Buttrey moved **SB 236** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gillan, Hamlett, Hinkle, Hutton, Jent, Jones, Keane, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Zinke, Mr. President.

Total 39

Nays: Branae, Gallus, Hawks, Jackson, Kaufmann, Larsen, Moss, Stewart-Peregoy, Van Dyk, Williams.

Total 10

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 270 - Senator Wittich moved **SB 270** do pass. Motion **failed** as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Vincent, Walker, Wittich.

Total 24

Nays: Augare, Branae, Brown, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 25

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 270 - Senator C. Williams moved **SB 270** be **indefinitely postponed**. Motion carried as follows:

Yeas: Augare, Branae, Brown, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Ripley, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy, Mr. President.

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Total 25

Nays: Arthun, Balyeat, Barrett, Brenden, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Shockley, Sonju, Steinbeisser, Vincent, Walker, Wittich, Zinke.

Total 24

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 279 - Senator Jackson moved **SB 279** do pass. Motion carried as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hamlett, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 29

Nays: Augare, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 20

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 299 - Senator Hamlett moved **SB 299** do pass. Motion carried as follows:

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

Total 45

Nays: Augare, Larsen, Stewart-Peregoy, Windy Boy.

Total 4

Absent or not voting: None.

Total 0

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Excused: Blewett.

Total 1

SB 311 - Senator Gallus moved **SB 311** do pass. Motion carried as follows:

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

Total 43

Nays: Balyeat, Hinkle, Sonju, Tropila, Wittich, Zinke.

Total 6

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 335 - Senator Shockley moved **SB 335** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Moore, Moss, Mowbray, 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 48

Nays: Lewis.

Total 1

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SJR 4 - Senator Wittich moved **SJR 4** do pass. Motion carried as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 28

Nays: Augare, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried,

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Williams, Windy Boy.

Total 21

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

Senator Essmann moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Peterson in the chair. Chairman Jent moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 42

Nays: Branae, Erickson, Kaufmann, Moss, Wanzenried, Williams, Windy Boy.

Total 7

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

MOTIONS

Senator Essmann moved **SB 299** be moved from the Committee of the Whole committee to the Finance and Claims committee. Motion carried as follows:

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

Total 45

Nays: Caferro, Gillan, Vuckovich, Wanzenried.

Total 4

Absent or not voting: None.

Total 0

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Excused: Blewett.

Total 1

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 111 passed as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 26

Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Jent, Kaufmann, Keane, Larsen, Moss, Shockley, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 24

Paired: Brown, Aye; Blewett, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 114 passed as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 28

Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 22

Paired: Brown, Aye; Blewett, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 198 passed as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 28

Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 22

Paired: Brown, Aye; Blewett, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 225 passed as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Essmann, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Keane, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tropila, Tutvedt, Vincent, Walker, Wanzenried, Wittich, Zinke, Mr. President.

Total 39

Nays: Caferro, Erickson, Facey, Kaufmann, Larsen, Moss, Stewart-Peregoy, Van Dyk, Vuckovich, Williams, Windy Boy.

Total 11

Paired: Blewett, Aye; Williams, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 227 passed as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 28

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Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 22

Paired: Brown, Aye; Blewett, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 258 passed as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, 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: Blewett.

Total 1

SB 269 passed as follows:

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

Total 39

Nays: Essmann, Gillan, Jackson, Lake, Lewis, Mowbray, Murphy, Sonju, Steinbeisser, Tutvedt, Walker.

Total 11

Paired: Blewett, Aye; Essmann, No.

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SB 271 passed as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, 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: Blewett.

Total 1

SB 275 passed as follows:

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

Total 48

Nays: Zinke.

Total 1

Absent or not voting: None.

Total 0

Excused: Blewett.

Total 1

SB 285 passed as follows:

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

Total 41

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Nays: Balyeat, Barrett, Hinkle, Jackson, Lake, Shockley, Sonju, Vincent, Walker.
Total 9

Paired: Blewett, Aye; Hinkle, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 307 passed as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hamlett, Hinkle, Hutton, Jackson, Jones, Lake, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Vuckovich, Walker, Zinke, Mr. President.
Total 28

Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hawks, Jent, Kaufmann, Keane, Larsen, Lewis, Moss, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Williams, Windy Boy, Wittich.
Total 22

Paired: Brown, Aye; Blewett, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 10 passed as follows:

Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Hamlett, Hinkle, Hutton, Jackson, Jones, Keane, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.
Total 30

Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hawks, Jent, Kaufmann, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.
Total 20

Paired: Brown, Aye; Blewett, No.

Absent or not voting: None.
Total 0

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Excused: None.
Total 0

REPORTS OF STANDING COMMITTEES

PUBLIC HEALTH, WELFARE AND SAFETY (Priest, Chairman): 2/18/2011
HJR 5, be concurred in. Report adopted.

STATE ADMINISTRATION (Shockley, Chairman): 2/18/2011
SB 354, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

Senator Brown thanked the pages for their work during the week of February 14-19, 2011.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 1:00 p.m., Monday, February 21, 2011. Motion carried.

Senate adjourned at 12:09 a.m.

MARILYN MILLER
Secretary of the Senate

JIM PETERSON
President of the Senate