

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

Helena, Montana
March 5, 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 Branae, Gallus, Priest, Stewart-Peregoy, and Vuckovich, excused. Quorum present.

BILLS AND JOURNALS: 3/5/2011

Correctly printed: **SB 296, SB 379, HB 17, HB 44, HB 57, HB 63, HB 71, HB 84, HB 96, HB 106, HB 114, HB 127, HB 210, HB 268, HB 307, HB 359, HJR 4.**

Correctly engrossed: **SB 261, HB 47, HB 110, HB 187, HJR 5.**

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Barrett, Chairman): 3/4/2011

HB 24, be concurred in. Report adopted.

HJR 6, be concurred in. Report adopted.

STATE ADMINISTRATION (Shockley, Chairman): 3/4/2011

SB 338, introduced bill, be amended as follows:

1. Page 2, line 25.

Following: "the use of"

Strike: "state"

Insert: "public time, facilities, equipment, supplies, personnel, or "

And, as amended, do pass. Report adopted.

HB 119, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 3/4/2011

SB 31, introduced by Wanzenried

SB 63, introduced by Steinbeisser

SB 78, introduced by Ripley

House bills passed and transmitted to the Senate for concurrence: 3/4/2011

HB 262, introduced by Sands

HB 285, introduced by Harris

HB 370, introduced by Squires

SENATE JOURNAL
FIFTIETH LEGISLATIVE DAY - MARCH 5, 2011

HB 387, introduced by Flynn

HB 428, introduced by Berry

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 296 passed as follows:

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

Total 45

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Branae, Gallus, Priest, Stewart-Peregoy, Vuckovich.

Total 5

SB 379 passed as follows:

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

Total 29

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

Total 21

Paired: Gallus, Olson, Priest, Zinke, Mr. President, Aye; Branae, Gillan, Stewart-Peregoy, Vuckovich, Williams, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SENATE JOURNAL
FIFTIETH LEGISLATIVE DAY - MARCH 5, 2011

HB 44 concurred in as follows:

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

Total 45

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Branae, Gallus, Priest, Stewart-Peregoy, Vuckovich.

Total 5

HB 57 concurred in as follows:

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

Total 45

Nays: Wittich, Zinke.

Total 2

Paired: Branae, Stewart-Peregoy, Aye; Wittich, Zinke, No.

Absent or not voting: None.

Total 0

Excused: Gallus, Priest, Vuckovich.

Total 3

HB 84 concurred in as follows:

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

Total 45

SENATE JOURNAL
FIFTIETH LEGISLATIVE DAY - MARCH 5, 2011

Nays: Arthun.
Total 1

Paired: Stewart-Peregoy, Aye; Arthun, No.

Absent or not voting: None.
Total 0

Excused: Branae, Gallus, Priest, Vuckovich.
Total 4

HJR 4 concurred in as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Gillan, Hamlett, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tutvedt, Vincent, Walker, Windy Boy, Wittich, Mr. President.
Total 32

Nays: Blewett, Branae, Caferro, Erickson, Facey, Hawks, Jent, Kaufmann, Keane, Larsen, Moss, Tropila, Van Dyk, Wanzenried, Williams, Zinke.
Total 16

Paired: Brown, Priest, Stewart-Peregoy, Aye; Branae, Williams, Zinke, No.

Absent or not voting: None.
Total 0

Excused: Gallus, Vuckovich.
Total 2

HJR 5 concurred in as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Ripley, Shockley, Sonju, Steinbeisser, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 45

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Branae, Gallus, Priest, Stewart-Peregoy, Vuckovich.
Total 5

SENATE JOURNAL
FIFTIETH LEGISLATIVE DAY - MARCH 5, 2011

SPECIAL ORDERS OF THE DAY

Senator Brown thanked the pages for their work during the week of March 1-5, 2011.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 1:00 p.m., Monday, March 7, 2011.
Motion carried.

Senate adjourned at 8:13 a.m.

MARILYN MILLER
Secretary of the Senate

JIM PETERSON
President of the Senate