

**SENATE JOURNAL  
62<sup>ND</sup> LEGISLATURE  
FIFTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
March 8, 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. Quorum present.

**BILLS AND JOURNALS:**

3/8/2011

Correctly printed: **SB 261, HB 38, HB 39, HB 76, HB 97, HB 101.**

Correctly engrossed: **HB 126.**

Signed by the President at 4:30 p.m., March 7, 2011: **SB 21, SB 27, SB 31, SB 63, SB 78.**

Signed by the Secretary of the Senate at 3:14 p.m., March 7, 2011: **SB 21, SB 27, SB 31, SB 63, SB 78.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Balyeat, Chairman):

3/8/2011

**HB 29**, be amended as follows:

1. Page 3, line 26.

**Strike:** "OVERSEAS"

**Insert:** "in support of a contingency operation as defined in 10 U.S.C. 101(a)(13)"

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

**HB 94**, be amended as follows:

1. Page 6, lines 27 through 28.

**Strike:** "on administration" on line 27 through "involving" on line 28

**Insert:** "regarding deep sedation or"

2. Page 6, line 28 through page 7, line 19.

**Strike:** subsections (1) and (2) in their entirety

**Renumber:** subsequent subsections

3. Page 7, line 23.

**Following:** "board"

**Insert:** "trained"

4. Page 7, lines 25 through 30.

**Strike:** subsection (4) in its entirety

**Renumber:** subsequent subsection

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5. Page 8, line 1.

**Following:** "which"

**Insert:** "deep sedation or"

6. Page 8, line 3.

**Following:** "under"

**Insert:** "deep sedation or"

**Following:** "from"

**Insert:** "deep sedation or"

7. Page 8, line 27.

**Following:** ":"

**Insert:** ":"

8. Page 8, line 28.

**Following:** "~~(a)~~"

**Insert:** "(a)"

9. Page 8, line 29.

**Strike:** "and:"

**Insert:** ","

10. Page 8, line 30.

**Strike:** "(a) (i)"

**Insert:** "(b)"

11. Page 9, line 2.

**Strike:** "or"

12. Page 9, line 3.

**Strike:** "(ii)"

**Insert:** "(c)"

**Following:** "practice for"

**Strike:** "3"

**Insert:** "12"

13. Page 9, line 4.

**Strike:** "years immediately"

**Insert:** "months"

14. Page 9, line 5.

**Strike:** "(b)"

**Insert:** "(d)"

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

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**HB 118**, be concurred in. Report adopted.

**HB 419**, be concurred in. Report adopted.

**EDUCATION AND CULTURAL RESOURCES** (Zinke, Chairman):

3/7/2011

**HB 288**, be concurred in. Report adopted.

**HB 327**, be amended as follows:

1. Title, line 13.

**Following:** "BALLOTS;"

**Insert:** "ELIMINATING REFERENCE TO AN INTEREST RATE ON SCHOOL DISTRICT BOND ELECTION BALLOTS;"

2. Title, line 14.

**Following:** "20-9-427,"

**Insert:** "20-9-426, 20-9-427,"

3. Page 5, line 5.

**Insert:** "**Section 6.** Section 20-9-426, MCA, is amended to read:

**"20-9-426. Preparation and form of ballots for bond election.** (1) The school district shall cause ballots to be prepared for all bond elections, and whenever bonds for more than one purpose are to be voted upon at the same election, separate ballots must be prepared for each purpose.

(2) For bond elections that are not held in conjunction with a school election, the ballots for absentee voting must be printed and made available at least 30 days before the bond election.

(3) All ballots must be substantially in the following form:

OFFICIAL BALLOT

SCHOOL DISTRICT BOND ELECTION

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "BONDS--YES" if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or similar mark in the square before the words "BONDS--NO".

Shall the board of trustees be authorized to issue and sell (state type of bonds here: general obligation or impact aid revenue) bonds of this school district in the amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), ~~bearing interest at a rate not more than \_\_\_\_\_ percent (\_\_\_\_%) a year,~~ payable semiannually, during a period not more than \_\_\_\_\_ years, for the purpose \_\_\_\_\_ (here state the purpose the same way as in the notice of election)?

BONDS -- YES.

BONDS -- NO.""

**Insert:** "**Section 7.** Section 20-9-427, MCA, is amended to read:

**"20-9-427. Notice of bond election by separate purpose.** (1) A school district bond election must be conducted in accordance with the school election provisions of this title, except that the election notice must be in substantially the following form:

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NOTICE OF SCHOOL DISTRICT BOND ELECTION

Notice is hereby given by the trustees of School District No. \_\_\_\_\_ of \_\_\_\_\_ County, state of Montana, that pursuant to a certain resolution adopted at a meeting of the board of trustees of the school district held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, an election of the registered electors of School District No. \_\_\_\_\_ of \_\_\_\_\_ County, state of Montana, will be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ for the purpose of voting upon the question of whether or not the trustees may issue and sell (state here: general obligation or impact aid revenue) bonds of the school district in the amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), ~~bearing interest at a rate not more than \_\_\_\_\_ percent (\_\_\_\_\_% ) a year~~, payable semiannually, for the purpose of \_\_\_\_\_ (here state purpose). The bonds to be issued will be payable in installments over a period not exceeding \_\_\_\_\_ (state number) years.

The polls will be open from \_\_\_\_\_ o'clock \_\_m. and until \_\_\_\_\_ o'clock \_\_m. of the election day.

Dated and posted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Presiding officer, School District No. \_\_\_\_\_  
of \_\_\_\_\_ County  
Address \_\_\_\_\_

(2) If the bonds proposed to be issued are for more than one purpose, then each purpose must be separately stated in the notice, together with the proposed amount of bonds for each purpose.

(3) The notice must specify whether the bonds will be general obligation bonds or impact aid revenue bonds.""

**Renumber:** subsequent sections

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

**HB 356**, be concurred in. Report adopted.

**FINANCE AND CLAIMS** (Lewis, Chairman):

3/8/2011

**SB 81**, do pass. Report adopted.

**HB 93**, be concurred in. Report adopted.

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

3/7/2011

**HB 82**, be amended as follows:

1. Page 5, line 7.

**Following:** "INSTRUCTION."

**Insert:** "(1)"

2. Page 5, line 9.

**Insert:** "(2) If House Bill No. 175 is passed by the electorate in 2012, then [this act] is void on [the effective date of House Bill No. 175]."

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

**HB 191**, be amended as follows:

1. Page 2, line 21.

**Following:** "(2)"

**Insert:** "(a)"

2. Page 2, line 22.

**Following:** "s"

**Insert:** "s"

3. Page 2, line 23.

**Following:** "(a)"

**Insert:** "(i)"

4. Page 2, line 26.

**Following:** "department"

**Insert:** "; and (ii) prior to each operation, shall register with the local health officer or sanitarian on forms provided by the department"

5. Page 2, line 27.

**Following:** line 26

**Insert:** "(b) Nonprofit organizations or persons selling baked goods or preserves exclusively for a charitable community purpose are exempt from registration if they notify the local health officer or sanitarian, by phone or in person, before the event. The notification required is limited to the date and time of the event, items planned to be sold, and an estimate of the number of people expected to be served at the event."

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

**STATE ADMINISTRATION** (Shockley, Chairman):

3/7/2011

**HB 23**, be concurred in. Report adopted.

**HB 53**, be concurred in. Report adopted.

**HB 64**, be concurred in. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

**Senate bill not concurred in** and returned to the Senate:

3/4/2011

**SB 23**, introduced by Blewett

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**MOTIONS**

Senator Keane moved **HB 42** be passed until March 14, 2011. Without objection, so ordered.

Senator Moss raised a point of personal privilege regarding a comment made by a Representative in Senate Judiciary committee.

Senator Hamlett moved that **HB 24** be passed for the day. Without objection, so ordered.

**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 Hamlett in the chair.

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

**SB 207** - Senator Moore moved **SB 207** do pass.

**SB 207** - Senator Stewart-Peregoy moved **SB 207**, second reading copy, be amended as follows:

1. Page 7.

**Following:** line 5

**Insert:** "NEW SECTION. Section 9. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

**Renumber:** subsequent sections

Amendment adopted 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

**SB 207** - Senator Moore moved **SB 207**, as amended, do pass. Motion carried as follows:  
Yeas: Arthun, Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Facey, Gallus, Hamlett, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Wittich, Zinke, Mr. President.

Total 34

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

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 17** - Senator Vuckovich moved **HB 17** be concurred in. Motion carried as follows:  
Yeas: Arthun, Augare, Barrett, Blewett, Branae, Brenden, Brown, 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, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Williams, Wittich, Zinke, Mr. President.

Total 45

Nays: Balyeat, Buttrey, Sonju, Vincent, Windy Boy.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 58** - Senator Larsen moved **HB 58** be concurred in. Motion carried 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, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.

Total 49

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Nays: Gallus.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 63** - Senator Facey moved **HB 63** be concurred in.

**HB 63** - Senator Facey moved **HB 63**, second reading copy, be amended as follows:

1. Page 4, line 9 through line 12.

**Strike:** "Organizations" on line 9 through "beverages." on line 12

Amendment adopted 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 63** - Senator Facey moved **HB 63**, as amended, be concurred in. 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, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Wittich, Zinke, Mr. President.

Total 49

Nays: Windy Boy.

Total 1



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Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 114** - Senator Moss moved **HB 114** be concurred in. 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 156** - Senator Shockley moved **HB 156** be concurred in. 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 210** - Senator Buttrey moved **HB 210** be concurred in. 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, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent,

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Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 263** - Senator Olson moved **HB 263** be concurred in. 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, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: Van Dyk, Wittich.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 359** - Senator Tutvedt moved **HB 359** be concurred in. 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, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wanzenried, Williams, Zinke, Mr. President.

Total 47

Nays: Vuckovich, Windy Boy, Wittich.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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Senator Essmann moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Peterson in the chair. Chairman Hamlett moved the Committee of the Whole report be adopted. Report adopted 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, 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 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**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 261** passed as follows:

Yeas: Arthun, Augare, Barrett, Brenden, Brown, Buttrey, Caferro, Essmann, Gallus, Gillan, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tutvedt, Vincent, Walker, Williams, Wittich, Zinke, Mr. President.  
Total 31

Nays: Balyeat, Blewett, Branae, Erickson, Facey, Hamlett, Hawks, Hinkle, Jent, Kaufmann, Keane, Larsen, Moss, Murphy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 19

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 38** concurred in as follows:

Yeas: Arthun, Augare, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hutton, Jackson, Jent, Jones, Kaufmann,

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Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 46

Nays: Balyeat, Hinkle, Sonju, Wittich.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 39** concurred in as follows:

Yeas: Arthun, Augare, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gillan, Hamlett, Hawks, 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 47

Nays: Balyeat, Gallus, Hinkle.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 76** concurred in 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

**HB 97** concurred in 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 101** 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, Priest, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, Tropila, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 46

Nays: Gallus, Sonju, Tutvedt, Wittich.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 1:00 p.m., Wednesday, March 9, 2011. Motion carried.

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Senate adjourned at 1:53 p.m.

MARILYN MILLER  
Secretary of the Senate

JIM PETERSON  
President of the Senate