

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

Helena, Montana
April 11, 2011

Senate Chambers
State Capitol

Senate convened at 12:30 p.m. President Peterson presiding. Invocation by Chaplain Keith Johnson. Pledge of Allegiance to the Flag. Roll Call. All members present, except Senators Caferro, Hamlett, Keane, and Vuckovich, excused. Quorum present.

BILLS AND JOURNALS:

4/11/2011

Correctly printed: **SJR 23, HB 9, HB 10, HB 51, HB 140, HB 159, HB 188, HB 283, HB 317, HB 351, HB 358, HB 370, HB 388, HB 439, HB 475, HB 565, HB 613, HB 616, HB 618.**

Correctly engrossed: **SR 16, SR 24, HB 632.**

Correctly enrolled: **SB 1, SB 15, SB 29, SB 42, SB 54, SB 59, SB 75, SB 87, SB 99, SB 100, SB 108, SB 110, SB 135, SB 136, SB 138, SB 149, SB 172, SB 173, SB 195, SB 212, SB 234, SB 238, SB 241, SB 255, SB 267, SB 268, SB 279, SB 296, SB 311, SB 327, SB 333, SB 340, SB 347, SB 376, SB 382, SB 385, SB 389, SB 402, SB 413, SB 415, SJR 4, SJR 8, SJR 11, SR 7, SR 8, SR 9, SR 10, SR 11, SR 12, SR 13, SR 19.**

Examined by the sponsor and found to be correct: **SB 413.**

Delivered to the Governor for approval at 9:45 a.m., April 11, 2011: **SB 28, SB 36, SB 43, SB 52, SB 120, SB 146, SB 174, SB 222, SB 288, SB 298, SB 307, SB 337, SB 352, SB 357.**

Signed by the Speaker at 12:30 p.m., April 7, 2011: **SB 297.**

Signed by the President at 11:55 a.m., April 7, 2011: **SB 297.**

Signed by the Secretary of the Senate at 8:00 a.m., April 7, 2011: **SB 297.**

Delivered to the Governor for approval at 11:17 a.m., April 11, 2011: **SB 297.**

Signed by the Speaker at 9:42 a.m., April 11, 2011: **SB 11, SB 30, SB 35, SB 68, SB 218, SB 219, SB 224, SB 237, SB 242, SB 246, SB 266, SB 277, SB 278, SB 285, SB 286, SB 312, SB 330, SB 374, SJR 6.**

Signed by the President at 8:30 a.m., April 11, 2011: **SB 11, SB 30, SB 35, SB 68, SB 218, SB 219, SB 224, SB 237, SB 242, SB 246, SB 266, SB 277, SB 278, SB 285, SB 286, SB 312, SB 330, SB 374, SJR 6.**

Signed by the Secretary of the Senate at 9:40 a.m., April 8, 2011: **SB 11, SB 30, SB 35, SB 68, SB 218, SB 219, SB 224, SB 237, SB 242, SB 246, SB 266, SB 277, SB 278, SB 285, SB 286, SB 312, SB 330, SB 374, SJR 6.**

Delivered to the Governor for approval at 11:17 a.m., April 11, 2011: **SB 11, SB 30, SB 35, SB 68, SB 218, SB 219, SB 224, SB 237, SB 242, SB 246, SB 266, SB 277, SB 278, SB 285, SB 286, SB 312, SB 330, SB 374, SJR 6.**

Delivered to the Secretary of State at 11:26 a.m., April 11, 2011: **SJR 6.**

LEGISLATIVE ADMINISTRATION (Brown, Chairman):

5/16/2011

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 12:00 p.m., Saturday, April 9, 2011:

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<u>TITLE</u>	<u>NAME</u>
Pages:	Brittany Bernhart, Three Forks Ariana Lipkind, Missoula Jonathan Reimer, Whitefish Samantha Robinson, Helena Katie Stocker, Billings Kelsey Strom, Billings

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, April 11, 2011:

<u>TITLE</u>	<u>NAME</u>
Pages:	Sami Doane, Richey Tate Lamb, Belgrade Matt Myers, Churchill Michelle Porta, Billings Josh Sinrud, Belgrade Katie Staffanson, Sidney James Werk, Harlem

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Balyeat, Chairman): 4/11/2011
SR 16, do pass. Report adopted.

STATE ADMINISTRATION (Shockley, Chairman): 4/8/2011
SR 24, do pass. Report adopted.
HB 306, be concurred in. Report adopted.
HB 632, be amended as follows:

1. Page 7, line 15.

"COORDINATION SECTION. Section 3. Coordination instruction. If House Bill No. 316 and [this act] are both passed and approved and if both of these bills contain a section that amends 15-35-108, then sections amending 15-35-108 are void and 15-35-108 must be amended as follows:

"15-35-108. (Temporary) Disposal of severance taxes. Severance taxes collected under this chapter must, in accordance with the provisions of 17-2-124, be allocated as follows:

(1) Fifty percent of total coal severance tax collections is allocated to the trust fund created by Article IX, section 5, of the Montana constitution. The trust fund money must be deposited in the fund established under 17-6-203(6) and invested by the board of investments as provided by law.

(2) The amount of 12% of coal severance tax collections is allocated to the long-range building program account established in 17-7-205.

(3) The amount of 5.46% must be credited to an account in the state special revenue fund

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to be allocated by the legislature for provision of basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking, conservation districts, and the Montana Growth Through Agriculture Act. Expenditures of the allocation may be made only from this account. Money may not be transferred from this account to another account other than the general fund. Beginning July 1, 2012, any unreserved fund balance at the end of each fiscal year must be deposited in the general fund.

(4) The amount of ~~4.27%~~ 1.143% must be allocated to a permanent fund account for the purpose of parks acquisition or management. Income from this permanent fund account, excluding unrealized gains and losses, must be ~~appropriated~~ used for the acquisition, development, operation, and maintenance of any sites and areas described in 23-1-102.

(5) The amount of 0.95% must be allocated to the debt service fund type to the credit of the renewable resource loan debt service fund.

(6) The amount of 0.63% must be allocated to a trust fund for the purpose of protection of works of art in the capitol and for other cultural and aesthetic projects. Income from this trust fund account, excluding unrealized gains and losses, must be ~~appropriated~~ used for protection of works of art in the state capitol and for other cultural and aesthetic projects.

(7) The amount of [~~5.8% through September~~ June 30, 2013, and beginning October ~~October~~ July 1, 2013, the amount of] 2.9% must be credited to the coal natural resource account established in 90-6-1001(2).

(8) After the allocations are made under subsections (2) through (7), ~~\$250,000~~ \$225,000 for the fiscal year must be credited to the coal and uranium mine permitting and reclamation program account established in 82-4-244.

(9) (a) Subject to subsection (9)(b), all other revenue from severance taxes collected under the provisions of this chapter must be credited to the general fund of the state.

(b) The interest income from \$140 million of the coal severance tax permanent fund that is deposited in the general fund is statutorily appropriated, as provided in 17-7-502, on an annual basis as follows:

(i) \$65,000 to the cooperative development center;

(ii) \$625,000 for the growth through agriculture program provided for in Title 90, chapter 9;

(iii) ~~\$1.275~~ \$1.031 million to the research and commercialization state special revenue account created in 90-3-1002;

(iv) to the department of commerce:

(A) \$125,000 for a small business development center;

(B) \$50,000 for a small business innovative research program;

(C) \$425,000 for certified regional development corporations;

(D) \$200,000 for the Montana manufacturing extension center at Montana state university-Bozeman; and

(E) \$300,000 for export trade enhancement. (Terminates June 30, 2013--sec. 5, Ch. 459, L. 2009.)

15-35-108. (Effective July 1, 2013) Disposal of severance taxes. Severance taxes collected under this chapter must, in accordance with the provisions of 17-2-124, be allocated as follows:

(1) Fifty percent of total coal severance tax collections is allocated to the trust fund created by Article IX, section 5, of the Montana constitution. The trust fund money must be deposited in the fund established under 17-6-203(6) and invested by the board of investments as provided by law.

(2) ~~The~~ Beginning July 1, 2013:

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(a) the dollar amount of equal to 12% of coal severance tax collections in fiscal year 2013 is allocated to the long-range building program account established in 17-7-205;

~~(3)(b) The the dollar amount of equal to 5.46% of coal severance tax collections in fiscal year 2013~~ must be credited to an account in the state special revenue fund to be allocated by the legislature for provision of basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking, conservation districts, and the Montana Growth Through Agriculture Act. Expenditures of the allocation may be made only from this account. Money may not be transferred from this account to another account other than the general fund. Beginning July 1, 2012, any unreserved fund balance at the end of each fiscal year must be deposited in the general fund.

~~(4)(c) The the dollar amount of equal to 1.27% of coal severance tax collections in fiscal year 2013~~ must be allocated to a permanent fund account for the purpose of parks acquisition or management. Income from this permanent fund account, excluding unrealized gains and losses, must be ~~appropriated~~ used for the acquisition, development, operation, and maintenance of any sites and areas described in 23-1-102.

~~(5)(d) The the dollar amount of equal to 0.95% of coal severance tax collections in fiscal year 2013~~ must be allocated to the debt service fund type to the credit of the renewable resource loan debt service fund;

~~(6)(e) The the dollar amount of equal to 0.63% of coal severance tax collections in fiscal year 2013~~ must be allocated to a trust fund for the purpose of protection of works of art in the capitol and for other cultural and aesthetic projects. Income from this trust fund account, excluding unrealized gains and losses, must be ~~appropriated~~ used for protection of works of art in the state capitol and for other cultural and aesthetic projects.

~~(7)(f) The the dollar amount of [5.8% through September 30, 2013, and beginning October 1, 2013, the amount of] equal to 2.9% of coal severance tax collections in fiscal year 2013~~ must be credited to the coal natural resource account established in 90-6-1001(2); and

~~(8)(g) After after~~ the allocations are made under subsections (2)(a) through (7) (2)(f), \$250,000 for the fiscal year must be credited to the coal and uranium mine permitting and reclamation program account established in 82-4-244.

(3) (a) Except as provided in subsection (3)(b), the separate dollar amounts calculated pursuant to subsections (2)(a) through (2)(g) must be increased or decreased each year by the change in the consumer price index, as defined in 15-30-2101, for the preceding year.

(b) (i) Except as provided in subsection (3)(b)(ii), if the amount of revenue collected in any fiscal year pursuant to this chapter is less than the amount collected in fiscal year 2013, the amounts to be credited pursuant to subsections (2)(a) through (2)(g) revert to the amounts credited in fiscal year 2013 but reduced by the percentage by which the amount of revenue collected under this chapter in the current fiscal year differs from the amount of revenue collected in fiscal year 2013.

(ii) If any of the revenue allocated under subsections (2)(a) through (2)(g) is dedicated to the payment of principal and interest on bonds, the amount dedicated to the payment of the principal and interest may not be reduced but must be paid from the account or fund specified for the payment. If the account or fund from which the principal and interest are required to be paid does not have sufficient funds to fully pay the principal and interest, the amount remaining to be paid must be reallocated from the other accounts and funds by proportionately reducing the amounts credited to the other accounts and funds pursuant to subsections (2)(a) through (2)(g).

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~~(9)(4)~~ (a) Subject to ~~subsection (9)(b)~~, subsections (4)(b) and (5), all other revenue from severance taxes collected under the provisions of this chapter must be credited to the ~~general fund of the state~~ respective trust funds for the public employees' retirement system defined benefit plan provided for in 19-3-103, the sheriffs' retirement system provided for in 19-7-102, the game wardens' and peace officers' retirement system provided for in 19-8-102, and the teachers' retirement system provided for in 19-20-102 in the proportion that the unfunded actuarial liability of each of the systems bears to the sum of the unfunded actuarial liabilities of all four systems.

(b) If any of the retirement systems listed in subsection (4)(a) is funded on an actuarially sound basis, as defined in 19-2-409, the revenue to be credited to the retirement systems pursuant to subsection (4)(a) must be allocated proportionately to the systems that are not funded on an actuarially sound basis.

~~(b)(c)~~ The interest income from \$140 million of the coal severance tax permanent fund that is deposited in the general fund is statutorily appropriated, as provided in 17-7-502, on an annual basis as follows:

(i) \$65,000 to the cooperative development center;
(ii) \$1.25 million for the growth through agriculture program provided for in Title 90, chapter 9;

(iii) \$3.65 million to the research and commercialization state special revenue account created in 90-3-1002;

(iv) to the department of commerce:

(A) \$125,000 for a small business development center;

(B) \$50,000 for a small business innovative research program;

(C) \$425,000 for certified regional development corporations;

(D) \$200,000 for the Montana manufacturing extension center at Montana state university-Bozeman; and

(E) \$300,000 for export trade enhancement.

(5) If the amount of coal severance tax revenue credited to the retirement systems under subsections (2) through (4) exceeds the amount needed to fund all of the retirement systems listed in subsection (4)(a) on an actuarially sound basis, as defined in 19-2-409, the excess amount must be credited to the state general fund. (Terminates June 30, 2019--secs. 2, 3, Ch. 459, L. 2009.)

15-35-108. (Effective July 1, 2019) Disposal of severance taxes. Severance taxes collected under this chapter must, in accordance with the provisions of 17-2-124, be allocated as follows:

(1) Fifty percent of total coal severance tax collections is allocated to the trust fund created by Article IX, section 5, of the Montana constitution. The trust fund money must be deposited in the fund established under 17-6-203(6) and invested by the board of investments as provided by law.

(2) ~~The~~ Beginning July 1, 2013:

(a) the dollar amount of equal to 12% of coal severance tax collections in fiscal year 2013 is allocated to the long-range building program account established in 17-7-205;

(3)(b) The the dollar amount equal to 5.46% of coal severance tax collections in fiscal year 2013 must be credited to an account in the state special revenue fund to be allocated by the legislature for provision of basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking, conservation districts, and the Montana Growth Through Agriculture Act. Expenditures of the allocation may be made only from this account. Money may not be transferred from this account

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to another account other than the general fund. Beginning July 1, 2012, any unreserved fund balance at the end of each fiscal year must be deposited in the general fund.

~~(4)(c)~~ The the dollar amount of equal to 1.27% of coal severance tax collections in fiscal year 2013 must be allocated to a permanent fund account for the purpose of parks acquisition or management. Income from this permanent fund account, excluding unrealized gains and losses, must be ~~appropriated~~ used for the acquisition, development, operation, and maintenance of any sites and areas described in 23-1-102.

~~(5)(d)~~ The the dollar amount of equal to 0.95% of coal severance tax collections in fiscal year 2013 must be allocated to the debt service fund type to the credit of the renewable resource loan debt service fund-;

~~(6)(e)~~ The the dollar amount of equal to 0.63% of coal severance tax collections in fiscal year 2013 must be allocated to a trust fund for the purpose of protection of works of art in the capitol and for other cultural and aesthetic projects. Income from this trust fund account, excluding unrealized gains and losses, must be ~~appropriated~~ used for protection of works of art in the state capitol and for other cultural and aesthetic projects.

~~(7)(f)~~ The the dollar amount of equal to 2.9% of coal severance tax collections in fiscal year 2013 must be credited to the coal natural resource account established in 90-6-1001(2)-; and

~~(8)(g)~~ After after the allocations are made under subsections (2)(a) through ~~(7)(2)(f)~~, \$250,000 for the fiscal year must be credited to the coal and uranium mine permitting and reclamation program account established in 82-4-244.

(3) (a) Except as provided in subsection (3)(b), the separate dollar amounts calculated pursuant to subsections (2)(a) through (2)(g) must be increased or decreased each year by the change in the consumer price index, as defined in 15-30-2101, for the preceding year.

(b) (i) Except as provided in subsection (3)(b)(ii), if the amount of revenue collected in any fiscal year pursuant to this chapter is less than the amount collected in fiscal year 2013, the amounts to be credited pursuant to subsections (2)(a) through (2)(g) revert to the amounts credited in fiscal year 2013 reduced by the percentage by which the amount of revenue collected under this chapter in the current fiscal year differs from the amount of revenue collected in fiscal year 2013.

(ii) If any of the revenue allocated under subsections (2)(a) through (2)(g) is dedicated to the payment of principal and interest on bonds, the amount dedicated to the payment of the principal and interest may not be reduced but must be paid from the account or fund specified for the payment. If the account or fund from which the principal and interest are required to be paid does not have sufficient funds to fully pay the principal and interest, the amount remaining to be paid must be reallocated from the other accounts and funds by proportionately reducing the amounts credited to the other accounts and funds pursuant to subsections (2)(a) through (2)(g).

~~(9)(4)~~ (a) All Subject to subsections (4)(b) and (5), all other revenue from severance taxes collected under the provisions of this chapter must be credited to the ~~general fund of the state~~ respective trust funds for the public employees' retirement system defined benefit plan provided for in 19-3-103, the sheriffs' retirement system provided for in 19-7-102, the game wardens' and peace officers' retirement system provided for in 19-8-102, and the teachers' retirement system provided for in 19-20-102 in the proportion that the unfunded actuarial liability of each of the systems bears to the sum of the unfunded actuarial liabilities of all four systems.

(b) If any of the retirement systems listed in subsection (4)(a) is funded on an actuarially sound basis, as defined in 19-2-402, the revenue to be credited to the retirement systems pursuant to subsection (4)(a) must be allocated proportionately to the systems that are not funded on an actuarially sound basis.

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(5) If the amount of coal severance tax revenue credited to the retirement systems under subsections (2) through (4) exceeds the amount needed to fund all of the retirement systems listed in subsection (4)(a) on an actuarially sound basis, as defined in 19-2-402, the excess amount must be credited to the state general fund."

Insert: "NEW SECTION. **Section 4. Coordination instruction.** (1) If House Bill No. 122 is not passed and approved, then [this act] is void.
(2) If Senate Bill No. 54 is not passed and approved, then [this act] is void."

Renumber: subsequent sections

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

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 4/8/2011

HB 642, introduced by Blasdel

Senate bills concurred in and returned to the Senate: 4/8/2011

SB 296, introduced by Tutvedt
SB 333, introduced by Shockley
SB 376, introduced by Lake
SB 382, introduced by Gillan
SB 402, introduced by Balyeat
SB 413, introduced by Balyeat

Senate joint resolution concurred in and returned to the Senate: 4/8/2011

SJR 11, introduced by J. Peterson

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments:

4/8/2011

SB 215, introduced by Gallus
SB 299, introduced by Hamlett
SB 331, introduced by Jent
SB 410, introduced by Brenden

SB 153 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 153**:

4/8/2011

Representative Kerns, Vice Chair
Representative O'Hara
Representative Menehan

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SB 156 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 156**:

4/8/2011

Representative Bangerter, Vice Chair
Representative Read
Representative Pease-Lopez

SB 221 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 221**:

4/8/2011

Representative Berry, Vice Chair
Representative Hunter
Representative Salomon

SB 97 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 97**:

4/8/2011

Representative Peterson, Vice Chair
Representative Bangerter
Representative Driscoll

MOTIONS

Senator Sonju moved to suspend the rules to allow for the late introduction of **HB 642**. Motion carried as follows:

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

Total 45

Nays: Tropila.

Total 1

Absent or not voting: None.

Total 0

Excused: Caferro, Hamlett, Keane, Vuckovich.

Total 4

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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 Sonju in the chair.

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

Senator Caferro present.

HB 219 - Governor's Amendments - Senator Essmann moved Governor's amendments to **HB 219** be **not** concurred in. 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, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hawks, Jent, Kaufmann, Larsen, Moss, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Williams, Windy Boy.

Total 19

Absent or not voting: None.

Total 0

Excused: Hamlett, Keane, Vuckovich.

Total 3

Senator Hamlett present.

HB 327 - Governor's Amendments - Senator Moss moved Governor's amendments to **HB 327** be **not** concurred in. Motion carried as follows:

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

Total 43

Nays: Balyeat, Gallus, Larsen, Van Dyk, Wittich.

Total 5

Absent or not voting: None.

Total 0

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Excused: Keane, Vuckovich.

Total 2

HB 186 - Senator Facey moved **HB 186** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Blewett, Branae, Brown, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Jones, Kaufmann, Larsen, Lewis, Moore, Moss, Murphy, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 30

Nays: Balyeat, Barrett, Brenden, Buttrey, Hinkle, Hutton, Jackson, Lake, Mowbray, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Vincent, Walker, Wittich.

Total 18

Absent or not voting: None.

Total 0

Excused: Keane, Vuckovich.

Total 2

HB 363 - Senator Vincent moved **HB 363** be concurred in. Motion carried as follows:

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

Total 43

Nays: Caferro, Erickson, Kaufmann, Moss, Stewart-Peregoy.

Total 5

Absent or not voting: None.

Total 0

Excused: Keane, Vuckovich.

Total 2

Senator Keane present.

Senator Vuckovich present.

HB 370 - Senator Zinke moved **HB 370** be concurred in.

HB 370 - Senator Zinke moved **HB 370**, second reading copy, be amended as follows:

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1. Page 5, line 10.

Strike: "\$5.25"

Insert: "\$5.37"

2. Page 5, line 11.

Strike: "50"

Insert: "38"

Amendment adopted as follows:

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

Total 28

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

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 370 - Senator Wittich moved **HB 370**, second reading copy, be amended as follows:

1. Title, line 6.

Following: "CITY;"

Insert: "REVISING THE OPTIONAL MOTOR VEHICLE REGISTRATION FEE PROCESS;"

2. Page 5, line 6.

Following: "in"

Insert: "either"

Following: "(18)(b)"

Insert: "or (18)(c)"

3. Page 5, line 16.

Following: line 15

Insert: "(c)(i) A person who registers one or more light vehicles may, at the time of annual registration, certify that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may make a written election not to pay the additional \$6 fee provided for in subsection (18)(a). If a written election is made, the fee may not be collected at any subsequent annual registration unless the person makes the written election to pay the additional fee on one or more of the light vehicles.

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(ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered to a different person."

Amendment adopted as follows:

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

Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 370 - Senator Zinke moved **HB 370**, as amended, be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Kaufmann, Keane, Larsen, Moss, Mowbray, Murphy, Shockley, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.

Total 32

Nays: Balyeat, Barrett, Brenden, Brown, Buttrey, Essmann, Jones, Lake, Lewis, Moore, Olson, Priest, Ripley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 372 - Senator Hinkle moved **HB 372** be concurred in. Motion **failed** as follows:

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

Total 25

Nays: Augare, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hawks, Jent,

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Kaufmann, Keane, Lake, Larsen, Moss, Shockley, Sonju, Stewart-Peregoy, Tropila, Tutvedt,
Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.
Total 25

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 387 - Senator Jent moved **HB 387** be concurred in. Motion **failed** as follows:
Yeas: Arthun, Balyeat, Barrett, Brown, Hawks, Hinkle, Jent, Moore, Murphy, Steinbeisser,
Tutvedt.
Total 11

Nays: Augare, Blewett, Branae, Brenden, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus,
Gillan, Hamlett, Hutton, Jackson, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moss,
Mowbray, Olson, Priest, Ripley, Shockley, Sonju, Stewart-Peregoy, Tropila, Van Dyk, Vincent,
Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 39

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Gallus excused.

HB 387 - Senator Williams moved **HB 387** be **indefinitely postponed**. Motion carried as
follows:

Yeas: Arthun, Augare, Blewett, Branae, Buttrey, Caferro, Erickson, Essmann, Facey, Gillan,
Hamlett, Hawks, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moss, Olson, Priest, Shockley,
Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried,
Williams, Windy Boy, Zinke, Mr. President.
Total 35

Nays: Balyeat, Barrett, Brenden, Brown, Hinkle, Hutton, Jackson, Jent, Moore, Mowbray,
Murphy, Ripley, Steinbeisser, Wittich.
Total 14

Absent or not voting: None.
Total 0

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Excused: Gallus.

Total 1

HB 607 - Senator Hinkle moved **HB 607** be concurred in. Motion carried as follows:

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

Total 39

Nays: Augare, Blewett, Erickson, Kaufmann, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Williams, Windy Boy.

Total 10

Absent or not voting: None.

Total 0

Excused: Gallus.

Total 1

HB 444 - Senator Wittich moved **HB 444** be concurred in.

Senator Gallus present.

Senator Wittich moved consideration of **HB 444** be placed at the bottom of the second reading board. Motion carried.

HB 577 - Senator Moore moved **HB 577** be concurred in. Motion carried as follows:

Yeas: 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, Mr. President.

Total 26

Nays: Arthun, 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, Zinke.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HB 641 - Senator Lake moved **HB 641** 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 492 - Senator Shockley moved **HB 492** be concurred in. Motion carried as follows:

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

Total 29

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

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 518 - Senator Moss moved **HB 518** be concurred in.

HB 518 - Senator Moss moved **HB 518**, second reading copy, be amended as follows:

1. Page 5, line 13.

Following: "care"

Strike: "and"

Insert: ". A health care provider's inability to follow the specific terms of the directive because it violates the standard of care does not require a revocation of the directive. A health care provider or mental health professional"

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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 518 - Senator Moss moved **HB 518**, 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, Windy Boy, Wittich, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 494 - Senator Wittich moved **HB 494**, as amended, be concurred in. Motion **failed** as follows:

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

Total 25

Nays: Arthun, Augare, Blewett, Branae, Caferro, Erickson, Facey, Gillan, Hamlett, Hawks, Jent, Jones, Kaufmann, Keane, Larsen, Moss, Murphy, Stewart-Peregoy, Tropila, Van Dyk,

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Vuckovich, Wanzenried, Williams, Windy Boy, Zinke.

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 494 - Senator Williams moved **HB 494** be indefinitely postponed. Motion failed as follows:

Yeas: 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

Nays: 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

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 560 - Senator Buttrey moved **HB 560** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett, Blewett, Branae, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Moss, Murphy, Olson, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Wanzenried, Williams, Zinke, Mr. President.

Total 38

Nays: Balyeat, Brenden, Hinkle, Lake, Moore, Mowbray, Priest, Vincent, Vuckovich, Walker, Windy Boy, Wittich.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HB 561 - Senator Buttrey moved **HB 561** be concurred in. Motion carried as follows:
Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, Branae, Brown, Buttrey, Caferro, Essmann, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Keane, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Vincent, Walker, Wanzenried, Williams, Zinke, Mr. President.
Total 41

Nays: Brenden, Erickson, Facey, Kaufmann, Lake, Van Dyk, Vuckovich, Windy Boy, Wittich.
Total 9

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 562 - Senator Buttrey moved **HB 562** 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, 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 46

Nays: Keane, Vuckovich, Windy Boy, Wittich.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 638 - Senator Shockley moved **HB 638** be concurred in.

HB 638 - Senator Shockley moved **HB 638**, second reading copy, be amended as follows:

1. Page 2, line 6 through line 8.

Following: line 5

Strike: subsection (vi) through subsection (viii) in their entirety

Renumber: subsequent subsections

2. Page 2, line 11.

Following: "19"

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Insert: ", parts 3 and 4"

3. Page 2, line 12 through line 13.

Following: line 11

Strike: subsection (xii) through subsection (xiii) in their entirety

Renumber: subsequent subsection

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, Zinke, Mr. President.

Total 49

Nays: Wittich.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 638 - Senator Shockley moved **HB 638**, as amended, be concurred in. Motion carried as follows:

Yeas: Arthun, 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 27

Nays: Augare, Balyeat, 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 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Essmann moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Peterson in the chair.

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Chairman Sonju moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 36

Nays: Branae, Erickson, Gillan, Hamlett, Kaufmann, Keane, Larsen, Moss, Stewart-Peregoy, Tropila, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Essmann moved the Senate recess until 4:15 p.m. Motion carried.

Senate in recess.

Senate reconvened.

MOTIONS

Senator Brendan moved to reconsider action on **HB 372** and that **HB 372** be placed on second reading today. Motion carried as follows:

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

Total 33

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

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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Senator Wittich moved **SB 444** be moved from second reading to the Finance and Claims committee. Without objection, so ordered.

Senator Wittich moved to reconsider action on **HB 494** and that **HB 494** be placed on second reading today. 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, 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

Absent or not voting: None.

Total 0

Excused: None.

Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (Murphy, Chairman):

4/11/2011

SJR 29, do pass. Report adopted.

SR 30, be adopted. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE

on Senate Amendments to **House Bill 132**

Report No. 1, April 11, 2011

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 132** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 132** (reference copy -- salmon) be amended as follows:

1. Page 8, line 8.

Strike: "1,000-POUND"

Insert: "1,200-pound"

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For the Senate:

Tutvedt, Chair
Arthun
Gillan

For the House:

Hoven, Vice Chair
Taylor

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 47**
Report No. 1, April 8, 2011

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 47** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 47** (reference copy -- salmon) be accepted by the House.

For the Senate:

Balyeat, Chair
Hinkle

For the House:

Peterson, Vice Chair
Kennedy

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 297**
Report No. 1, April 11, 2011

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 297** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 297** (reference copy -- salmon) be amended as follows:

1. Page 1, line 15.

Strike: "2013"

Insert: "2015"

For the House:

Shockley, Chair
Augare

For the Senate:

Berry, Vice Chair
B. Bennett
Stahl

FIRST READING AND COMMITMENT OF BILLS

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

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SJR 30, introduced by Windy Boy, Stewart-Peregoy, Caferro, Augare, Vuckovich, Roberts, Ankney, Read, referred to Judiciary.

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

SR 32, introduced by Murphy, referred to Judiciary.

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

HB 642, introduced by Blasdel, Sonju, C. Williams, McGillvray, Hollenbaugh, Vincent, Buttrey, Olson, Gillan, Milburn, Essmann, referred to Finance and Claims.

SPECIAL ORDERS OF THE DAY

Senator Brown introduced the Senate pages for the week of April 11-16, 2011.

**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 Gallus in the chair.

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

SJR 26 - Senator Lewis moved **SJR 26** do pass.

SJR 26 - Senator Hawks moved **SJR 26**, second reading copy, be amended as follows:

1. Page 3, line 13.

Strike: "implementing"

Insert: "implementation of current"

Strike: "to create"

Insert: "toward furthering"

Following: "use"

Insert: ", "

Strike: "and"

Strike: "to improve"

Insert: "improving"

2. Page 3, line 14.

Following: "performance"

Insert: "through the use of data, and providing data tools for schools to assist them in making data-driven decisions"

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3. Page 3, line 15.

Following: "(2)"

Insert: "shared policy"

Amendment **not** adopted as follows:

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

Total 25

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

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJR 26 - Thereupon, the Senate reverted to the original motion of Senator Lewis which passed as follows:

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

Total 35

Nays: Augare, Blewett, Caferro, Erickson, Facey, Gallus, Hawks, Kaufmann, Keane, Larsen, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Williams.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJR 27 - Senator Caferro moved **SJR 27** 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, 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,

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Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.
Total 49

Nays: Jackson.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SR 28 - Senator Buttrey moved **SR 28** be adopted.

SR 28 - Senator Buttrey moved **SR 28**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

Following: "URGING THE"

Insert: "PRESIDENT OF THE UNITED STATES, THE"

2. Title, page 1, line 5.

Following: "DEFENSE"

Insert: ", AND CONGRESS"

3. Page 3, line 17.

Following: "Senate ask"

Insert: "the President of the United States, the Secretary of Defense, and"

4. Page 5, line 8.

Following: "resolution to"

Insert: "President of the United States Barack Obama,"

5. Page 5, line 9.

Strike: "Secretary of the Air Force Michael Donley,"

Insert: "Senate Majority Leader Harry Reid, Speaker of the House of Representatives John Boehner,"

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

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Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SR 28 - Senator Buttrey moved **SR 28**, as amended, be adopted. 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, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.

Total 49

Nays: Shockley.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 2 - Free Conference Committee Report No. 1 - Senator Lewis moved the Free Conference Committee report to **HB 2** be adopted. Motion carried as follows:

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

Total 26

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

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HB 316 - Senator Zinke moved **HB 316** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Brown, Buttrey, Essmann, Facey, Gillan, Hinkle, Hutton, Jackson, Jones, Lake, Lewis, Moss, Mowbray, Murphy, Priest, Ripley, Shockley, Tutvedt, Vincent, Williams, Wittich, Zinke, Mr. President.

Total 27

Nays: Blewett, Branae, Brenden, Caferro, Erickson, Gallus, Hamlett, Hawks, Jent, Kaufmann, Keane, Larsen, Moore, Olson, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Windy Boy.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 372 - Senator Hinkle moved **HB 372** be concurred in. Motion carried as follows:

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

Total 41

Nays: Erickson, Kaufmann, Larsen, Moss, Tropila, Van Dyk, Vuckovich, Wanzenried, Williams.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 494 - Senator Wittich moved **HB 494** be concurred in. Motion carried as follows:

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

Total 27

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

Total 23

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Essmann moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Peterson in the chair. Chairman Gallus 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, Hinkle, Hutton, Jackson, Jones, Lake, Larsen, Lewis, Moore, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 37

Nays: Blewett, Branae, Erickson, Hawks, Jent, Kaufmann, Keane, Moss, Stewart-Peregoy, Vuckovich, Wanzenried, Williams, Windy Boy.

Total 13

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 16, as amended by the House, passed as follows:

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

Total 39

Nays: Balyeat, Blewett, Erickson, Gillan, Hinkle, Jent, Kaufmann, Shockley, Van Dyk, Walker, Wittich.

Total 11

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SJR 23 adopted as follows:

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

Total 27

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

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 6 concurred in as follows:

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

Total 36

Nays: Arthun, Balyeat, Brenden, Essmann, Hinkle, Jackson, Lake, Moore, Mowbray, Shockley, Sonju, Vincent, Walker, Wittich.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 9 concurred in as follows:

Yeas: Augare, Barrett, Blewett, Branae, Brenden, Brown, Buttrey, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Moss, Mowbray, Murphy, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy, Mr. President.

Total 32

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Nays: Arthun, Balyeat, Essmann, Hinkle, Hutton, Jackson, Lake, Moore, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Vincent, Walker, Wittich, Zinke.
Total 18

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 10 concurred in as follows:

Yeas: Augare, Blewett, Branae, Brown, Buttrey, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Hinkle, Hutton, Jackson, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Moss, Mowbray, Murphy, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Mr. President.
Total 36

Nays: Arthun, Balyeat, Barrett, Brenden, Essmann, Lake, Moore, Olson, Priest, Ripley, Shockley, Vincent, Wittich, Zinke.
Total 14

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 51 concurred in as follows:

Yeas: Augare, Barrett, Blewett, Branae, Brown, Buttrey, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hutton, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Moore, Moss, Murphy, Olson, Priest, Shockley, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 38

Nays: Arthun, Balyeat, Brenden, Hinkle, Jackson, Lake, Mowbray, Ripley, Sonju, Steinbeisser, Walker, Wittich.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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HB 140 concurred in as follows:

Yeas: Arthun, Barrett, Brown, Essmann, Facey, Gallus, Hutton, Jackson, Jones, Kaufmann, Keane, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Priest, Ripley, Stewart-Peregoy, Tutvedt, Vuckovich, Williams, Windy Boy, Zinke, Mr. President.

Total 27

Nays: Augare, Balyeat, Blewett, Branae, Brenden, Buttrey, Caferro, Erickson, Gillan, Hamlett, Hawks, Hinkle, Jent, Lake, Shockley, Sonju, Steinbeisser, Tropila, Van Dyk, Vincent, Walker, Wanzenried, Wittich.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 159 concurred in as follows:

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

Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 188 concurred in as follows:

Yeas: Augare, Blewett, Branae, Brown, Buttrey, Caferro, Erickson, Facey, Gallus, Gillan, Hamlett, Hawks, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Shockley, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Williams, Zinke, Mr. President.

Total 36

Nays: Arthun, Balyeat, Barrett, Brenden, Essmann, Hinkle, Hutton, Priest, Ripley, Sonju, Vincent, Walker, Windy Boy, Wittich.

Total 14

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 209 concurred in as follows:

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

Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 283 concurred in as follows:

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

Total 27

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

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 317 concurred in as follows:

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

Total 30

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Nays: Augare, Blewett, Branae, Erickson, Facey, Gillan, Hamlett, 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: None.
Total 0

HB 351 concurred in as follows:

Yeas: Arthun, Augare, Barrett, Brenden, Brown, Buttrey, Essmann, Hamlett, Hutton, Jackson, Jones, Lake, Lewis, Moore, Mowbray, Murphy, Olson, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.
Total 28

Nays: Balyeat, Blewett, Branae, Caferro, Erickson, Facey, Gallus, Gillan, Hawks, Hinkle, Jent, Kaufmann, Keane, Larsen, Moss, Priest, Sonju, Van Dyk, Vuckovich, Wanzenried, Williams, Windy Boy.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 388 concurred in 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

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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HB 439 concurred as follows:

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

Total 36

Nays: Balyeat, Barrett, Brenden, Brown, Essmann, Hinkle, Jackson, Moore, Murphy, Priest, Sonju, Vincent, Walker, Wittich.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 475 concurred in as follows:

Yeas: Barrett, Blewett, Branae, Caferro, Erickson, Facey, Hamlett, Hawks, Jackson, Jent, Larsen, Moss, Mowbray, Murphy, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Mr. President.

Total 19

Nays: Arthun, Augare, Balyeat, Brenden, Brown, Buttrey, Essmann, Gallus, Gillan, Hinkle, Hutton, Jones, Kaufmann, Keane, Lake, Lewis, Moore, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Vuckovich, Walker, Williams, Windy Boy, Wittich, Zinke.

Total 31

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 565 concurred in as follows:

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

Total 44

Nays: Essmann, Jackson, Priest, Vincent, Walker, Wittich.

Total 6

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 611 concurred in as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Branae, Brenden, Brown, Buttrey, Facey, Gallus, Gillan, Hamlett, Hawks, Jackson, Jones, Lake, Lewis, Moss, Mowbray, Murphy, Olson, Ripley, Steinbeisser, Tutvedt, Vincent, Williams, Zinke, Mr. President.

Total 28

Nays: Blewett, Caferro, Erickson, Essmann, Hinkle, Hutton, Jent, Kaufmann, Keane, Larsen, Moore, Priest, Shockley, Sonju, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich.

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 613 concurred in as follows:

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

Total 28

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

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 615 concurred in as follows:

Yeas: Arthun, Augare, Balyeat, Barrett, Blewett, 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, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich,

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

Total 49

Nays: Hinkle.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 621 concurred in as follows:

Yeas: Arthun, Augare, 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, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.

Total 48

Nays: Balyeat, Walker.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SPECIAL ORDERS OF THE DAY

SR 6 - Senator Shockley moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 6**. 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

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Excused: None.

Total 0

SR 21 - Senator Olson moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 21**. 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

SR 22 - Senator Olson moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 22**. 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

SR 27 - Senator Steinbeisser moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 27**. 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

MOTIONS

Senator Mowbray moved to change her vote on **HB 439** from No to Yes. Without objection, so ordered.

Senator Blewett moved to change his vote on **HB 613** from No to Yes. Without objection, so ordered.

Senator Hamlett moved to change his vote on **HB 613** from No to Yes. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 10:00 a.m., Tuesday, April 12, 2011. Motion carried.

Senate adjourned at 5:48 p.m.

MARILYN MILLER
Secretary of the Senate

JIM PETERSON
President of the Senate