

**SENATE JOURNAL
61ST LEGISLATURE
FIFTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 16, 2009

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Story presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Hawks, Laible, Ripley, and Squires, excused. Quorum present.

BILLS AND JOURNALS:

3/16/2009

Correctly printed: **SB 508, SR 8, HB 67, HB 78, HB 82, HB 93, HB 118, HB 129, HB 137, HB 179, HB 203, HB 270, HB 288, HB 294, HB 311, HB 332, HB 363, HB 367, HB 383, HB 402, HB 432, HJR 25, HJR 27.**

Correctly enrolled: **SB 25, SB 89, SB 102, SB 120, SB 135, SB 255, SB 376, SR 2.**

Signed by the Speaker at 8:30 a.m., March 16, 2009: **SB 5, SB 182, SB 201, SB 262, SB 296, SB 331, SB 390, SJR 8.**

Delivered to the Governor for approval at 8:05 a.m., March 16, 2009: **SB 155, SB 160, SB 196.**

Delivered to the Governor for approval at 11:20 a.m., March 16, 2009: **SB 5, SB 182, SB 201, SB 262, SB 296, SB 331, SB 390.**

Delivered to the Secretary of State at 10:00 a.m., March 16, 2009: **SJR 8.**

LEGISLATIVE ADMINISTRATION (Curtiss, Chairman):

3/16/2009

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 1:00 p.m., Saturday, March 14, 2009:

TITLE

NAME

Pages:

Lisa Laslovich, Anaconda
McCall Flynn, Anaconda
Marion Min, Ryegate
Sarah Kirchner, Kalispell
Nicole Veltkamp, Stevensville
Ronald "Tres" Storey III, Yellowtail
Taylor Simkins, Missoula

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, March 16, 2009:

TITLE

NAME

Pages:

Chance Wilson, Scobey
Jackson Bolstad, Homestead
Jamie Balyeat, Bozeman
Danielle "Danie" Jacobs, Great Falls
Kelsey Barker, Augusta
Lillian Alvernaz, Glasgow
Sean Ryan, Great Falls

Report Adopted.

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REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Bales, Chairman):
SB 114, introduced bill, be amended as follows:

3/16/2009

1. Page 2, line 13.

Following: "biennium"

Insert: ", excluding the amount in the account provided for in [section 1],"

2. Page 3, line 17.

Following: "biennium"

Insert: ", excluding the amount in the account provided for in [section 1],"

And, as amended, do pass. Report adopted.

SB 435, introduced bill, be amended as follows:

1. Title, line 7.

Following: "STATE;"

Insert: "PROVIDING EXCEPTIONS;"

2. Page 2, lines 3 and 4.

Following: "commissioners." on line 3

Strike: remainder of line 3 through "state." on line 4

3. Page 2, lines 26 and 27.

Following: "commissioners." on line 26

Strike: remainder of line 26 through "state." on line 27

4. Page 6, line 14.

Following: "state"

Insert: ", except that a cumulative total of 3,000 acres may be held for fishing access sites and public access"

5. Page 7, line 30 through page 8, line 1.

Following: "commissioners." on line 30

Strike: remainder of line 30 through "state." on page 8, line 1

6. Page 17, line 5.

Following: "state" on line 5

Insert: ", except that a cumulative total of 3,000 acres may be held for fishing access sites and public access"

7. Page 18, line 28.

Following: "state"

Insert: ", except that a cumulative total of 3,000 acres may be held for fishing access sites and public access"

8. Page 19, line 22.

Following: "state"

Insert: ", except that a cumulative total of 3,000 acres may be held for fishing access sites and public access"

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9. Page 20, line 7.

Following: "state"

Insert: ", except that a cumulative total of 3,000 acres may be held for fishing access sites and public access"

And, as amended, do pass. Report adopted.

SB 452, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

Strike: "PROVIDING" on line 6 through "AUDITOR;" on line 7

2. Title, page 1, line 9.

Following: "SECTIONS"

Insert: "2-1-405, 2-1-408,"

Following: "2-4-302,"

Strike: "5-13-308,"

Insert: "AND"

Following: "17-7-111,"

Strike: "AND 17-7-124,"

3. Page 1, following line 13.

"Section 1. Section 2-1-405, MCA, is amended to read:

"2-1-405. Requirement for budget recommendation -- reporting on federal mandates -- savings. Prior to recommending to the legislature a budget for a state agency that is charged with implementing federal mandates, the governor shall require that the state agency provide information regarding any monetary savings for the state and any reduction in regulatory burdens on local governments and on the public that could be or have been achieved through the development of state policies that meet the intent of applicable federal statutes but do not necessarily follow all applicable federal regulations, guidelines, or policies. The state agency shall also provide advice to the governor regarding any changes in state statutes that are necessary to provide the state agency the authority to implement state policies in such a way as to create additional savings or greater reductions in regulatory burdens. The governor shall review and compile the information received from state agencies pursuant to this section and shall include recommendations regarding any changes in state statutes that are necessary to provide the state agency with authority to implement state policies in a way that will create additional savings or greater reductions in regulatory burdens in the governor's budget based upon the information."

"Section 2. Section 2-1-408, MCA, is amended to read:

"2-1-408. Legislative review and oversight. (1) In exercising its authority as an equal branch of state government, the legislature may conduct any legal review or fiscal analysis that it considers necessary to effect the purpose and intent of this part. The governor, the director or chief executive officer of any agency within the executive branch, or any officer listed in Article VI, section 1, of the Montana constitution shall, upon request by the legislature, immediately provide any information prepared, compiled, developed, detailed, described, referenced, analyzed, reported, or in any other manner considered in conjunction with this part.

(2) In receiving the information described in subsection (1), the legislature is bound by the provisions of Article II, sections 9 and 10, of the Montana constitution.

(3) For the purposes of this section, the legislature includes the senate and the house of representatives, acting jointly or separately, and includes the legislative council.

(4) The legislature may request the assistance of any staff employed by the legislature, including the legislative auditor."

Renumber: subsequent sections

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4. Page 3, line 28 through page 4, line 12.

Strike: section 2 in its entirety

Renumber: subsequent sections

5. Page 7, line 13 through line 20.

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 460, introduced bill, be amended as follows:

1. Page 2, lines 8 and 9.

Following: "distribution"

Insert: "and use"

Following: "funds"

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

2. Page 2, line 10.

Following: "(2)"

Strike: "The"

Insert: "In order to ensure that the stimulus money is being used effectively and efficiently, the"

Following: "include"

Insert: "but are not limited to"

3. Page 2, line 12.

Strike: "criteria developed for setting priorities are"

Insert: "legislative intent in funding the project is"

4. Page 2, line 15.

Strike: "determining"

Insert: "evaluating the implementation and"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Esp, Chairman):

3/16/2009

HB 623, be amended as follows:

1. Title, line 5.

Strike: "NONPROFIT"

2. Page 1, line 18.

Strike: "nonprofit"

3. Page 1, line 20.

Strike: "nonprofit"

4. Page 1, line 24.

Strike: "nonprofit"

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5. Page 1, line 25.
Strike: "nonprofit"

6. Page 1, line 27.
Following: "used to"
Insert: "permanently"
Strike: "permanent"

7. Page 2, line 6.
Strike: "nonprofit"

8. Page 2, line 18.
Strike: "nonprofit"

9. Page 2, line 21.
Strike: "nonprofit"

10. Page 2, line 25.
Strike: "nonprofit"

11. Page 2, line 26.
Strike: "nonprofit"

12. Page 3, line 25.
Strike: "nonprofit"

13. Page 3, line 27.
Strike: "nonprofit"

14. Page 4, line 1.
Strike: "nonprofit"

15. Page 4, line 2.
Strike: "nonprofit"

16. Page 4, line 4.
Following: "used to"
Insert: "permanently"
Strike: "permanent"

17. Page 4, line 21.
Strike: "nonprofit"

18. Page 4, line 23.
Strike: "nonprofit"

19. Page 4, line 27.
Strike: "nonprofit"

20. Page 4, line 28.

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Strike: "nonprofit"

21. Page 4, line 30.

Following: "used to"

Insert: "permanently"

Strike: "permanent"

22. Page 5, line 10.

Strike: "nonprofit"

23. Page 5, line 12.

Strike: "nonprofit"

24. Page 5, line 16.

Strike: "nonprofit"

25. Page 5, line 17.

Strike: "nonprofit"

26. Page 5, line 24.

Following: "used to"

Insert: "permanently"

Strike: "permanent"

27. Page 6, line 24.

Strike: "nonprofit"

28. Page 6, line 27.

Strike: "nonprofit"

29. Page 7, line 1.

Strike: "nonprofit"

30. Page 7, line 2.

Strike: "nonprofit"

31. Page 7, line 4.

Following: "used to"

Insert: "permanently"

Strike: "permanent"

32. Page 8, line 1.

Strike: "nonprofit"

33. Page 8, line 3.

Strike: "nonprofit"

34. Page 8, line 7.

Strike: "nonprofit"

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35. Page 8, line 8.

Strike: "nonprofit"

36. Page 8, line 10.

Following: "used to"

Insert: "permanently"

Strike: "permanent"

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

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 3/16/2009

HB 12, introduced by Wilmer

HB 85, introduced by Sands

HB 135, introduced by Belcourt

HB 161, introduced by Augare

HB 480, introduced by Pomnichowski

Senate amendments to House bill concurred in: 3/16/2009

HB 80, introduced by Kottel

Senate bills concurred in and returned to the Senate: 3/16/2009

SB 77, introduced by Juneau

SB 150, introduced by Brueggeman

Senate joint resolutions concurred in and returned to the Senate: 3/16/2009

SJR 5, introduced by Laible

SJR 6, introduced by Hansen

SJR 16, introduced by R. Brown

FIRST READING AND COMMITMENT OF BILLS

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

SB 509, introduced by Gebhardt, referred to Taxation.

SB 510, introduced by Gebhardt, referred to Taxation.

Senator Hawks present.

Senator Laible, Senator Ripley present.

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

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

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

HB 223 - Senator Jent moved **HB 223** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, Moss, Perry, Peterson, Ripley, Schmidt, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.

Total 38

Nays: Balyeat, Brenden, Curtiss, Esp, Hinkle, Jackson, Laible, McGee, Murphy, Shockley, Mr. President.

Total 11

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 37 - Senator Shockley moved **HB 37** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 45

Nays: Balyeat, Brenden, Hinkle, Jackson.

Total 4

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 48 - Senator T. Brown moved **HB 48** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 45

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Nays: Balyeat, Esp, Essmann, Hinkle.
Total 4

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 119 - Senator Barkus moved **HB 119** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Erickson, Essmann, Gallus, Gillan, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.
Total 39

Nays: Balyeat, Curtiss, Esp, Gebhardt, Hamlett, Hinkle, Jackson, McGee, Stewart-Peregoy, Mr. President.
Total 10

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 204 - Senator Esp moved **HB 204** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: Hinkle.
Total 1

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 283 - Senator R. Brown moved **HB 283** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

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Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 304 - Senator Zinke moved **HB 304** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

SB 40 - House Amendments - Senator Juneau moved House amendments to **SB 40** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

SB 54 - House Amendments - Senator Steinbeisser moved House amendments to **SB 54** be concurred in. Motion carried as follows:

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Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

SB 74 - House Amendments - Senator Laible moved House amendments to **SB 74** be concurred in. Motion **failed** as follows:

Yeas: Cooney, Curtiss, Hamlett, Hansen, Hawks, Juneau, Laible, Larsen, Moss, Ripley, Schmidt, Shockley, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 16

Nays: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hinkle, Jackson, Jent, Kaufmann, Keane, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Steinbeisser, Stewart-Peregoy, J. Tropila, Tutvedt, Zinke, Mr. President.

Total 33

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

SB 88 - House Amendments - Senator M. Tropila moved House amendments to **SB 88** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: Squires.
Total 1

SB 170 - House Amendments - Senator Gebhardt moved House amendments to **SB 170** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: Gallus.
Total 1

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman Kaufmann moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 82 concurred in as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 47

Nays: Balyeat, Hinkle.
Total 2

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

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HB 118 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 137 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 179 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: Squires.
Total 1

HB 203 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 288 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Windy Boy, Zinke, Mr. President.
Total 43

Nays: Erickson, Gallus, Hawks, Juneau, Kaufmann, Squires, Williams.
Total 7

Paired: Laslovich, Aye; Squires, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 294 concurred in as follows:

Yeas: Barkus, Barrett, Branae, Brenden, T. Brown, Brueggeman, Cooney, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Ripley, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.
Total 37

Nays: Bales, Balyeat, Black, R. Brown, Curtiss, Hinkle, Jackson, McGee, Peterson, Shockley, Steinbeisser, Tutvedt, Mr. President.
Total 13

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Paired: Squires, Aye; R. Brown, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 311 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 383 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

FIRST READING AND COMMITMENT OF BILLS

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

HB 12, introduced by Wilmer (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 85, introduced by Sands (by request of the Children, Families, Health, and Human Services Interim Committee),

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referred to Public Health, Welfare and Safety.

HB 135, introduced by Belcourt (by request of the Reserved Water Rights Compact Commission), referred to Finance and Claims.

HB 161, introduced by Augare (by request of the Reserved Water Rights Compact Commission), referred to Natural Resources.

HB 480, introduced by Pomnichowski, referred to Fish and Game.

MOTIONS

Senator Hinkle moved to change his vote on **HB 48** from yes to no. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Peterson moved that the Senate adjourn until 1:00 p.m., Tuesday, March 17, 2009. Motion carried.

Senate adjourned at 2:04 p.m.

MARILYN MILLER
Secretary of the Senate

ROBERT STORY
President of the Senate