

**SENATE JOURNAL  
61ST LEGISLATURE  
SEVENTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
April 1, 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 Barkus and Gillan, excused. Quorum present.

Senator Barkus present at this time.

Senator Gillan present at this time.

**BILLS AND JOURNALS:**

4/1/2009

Correctly printed: **SJR 31, SR 24, SR 26, SR 27, HB 34, HB 59, HB 103, HB 109, HB 170, HB 228, HB 371, HB 420, HB 466, HB 477, HB 504, HB 533.**

Correctly engrossed: **SJR 32, HB 110, HB 449, HB 486, HB 531, HB 536, HB 574, HB 602, HB 608, HJR 9.**

**REPORTS OF STANDING COMMITTEES**

**FISH AND GAME** (Barkus, Chairman):

3/31/2009

**SR 15**, be adopted. Report adopted.

**SR 16**, be adopted. Report adopted.

**SR 17**, be adopted. Report adopted.

**HB 480**, be concurred in. Report adopted.

**MESSAGES FROM THE GOVERNOR**

April 1, 2009

The Honorable Bob Bergren  
Speaker of the House  
State Capitol  
Helena, Montana 59620

The Honorable Robert Story  
President of the Senate  
State Capitol  
Helena, Montana 59620

Dear Speaker Bergren and President Story:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 322, "**AN ACT REQUIRING A PERSON NOMINATED OR APPOINTED AS A NEUTRAL ARBITRATOR TO DISCLOSE A CONFLICT OF INTEREST; PROVIDING FOR VACATING AN AWARD BECAUSE OF A FAILURE TO DISCLOSE A CONFLICT OF INTEREST; AND AMENDING SECTIONS 27-5-211 AND 27-5-312, MCA**" for the following reasons.

I have proposed these amendments at the request of the bill's sponsor, Representative Blewett. House Bill 322

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establishes disclosure requirements for arbitrators. My amendments cover three technical areas. First, they clarify that it is the arbitrator that must comply with the requirements, not the arbitration agreement. Second, they correct what appears to have been an error in an amendment that was placed on the bill in the legislative process, so as to indicate that the disclosure requirements of subsection (4)(d) of section 1 of the bill apply to "neutral" arbitrators, not to "party" arbitrators, whose disclosure requirements are contained in subsection (4)(c) of section 1. Finally, it was always the intent of the bill that its disclosure requirements apply to arbitrators who have been proposed. The sponsor recently learned, however, of a court decision distinguishing "proposed" arbitrators from "nominated" arbitrators. Therefore, my amendments indicate that the disclosure requirements apply not only to "nominated and appointed" arbitrators, but to "proposed" arbitrators," as well.

Sincerely,

BRIAN SCHWEITZER  
Governor

**GOVERNOR'S AMENDMENTS  
TO HOUSE BILL 322**

**Amendments to House Bill No. 322  
Reference Copy**

Requested by the Governor

For the House Committee of the Whole

Prepared by Greg Petesch  
November 4, 2009 (7:51am)

1. Title, line 4.

**Following:** "PERSON"

**Insert:** "PROPOSED,"

**Following:** "NOMINATED"

**Insert:** ", "

2. Page 1, lines 13 and 14.

**Following:** "(2)" on line 13

**Strike:** "An"

**Insert:** "Beginning October 1, 2009, a person who has been proposed, nominated, or appointed as a neutral arbitrator pursuant to an"

**Following:** "bargaining agreement" on line 13

**Strike:** remainder of line 13 through "2009," on line 14

3. Page 1, line 15.

**Following:** "been"

**Insert:** "proposed,"

**Following:** "nominated"

**Insert:** ", "

4. Page 1, line 18.

**Following:** "person"

**Insert:** "proposed,"

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**Following:** "nominated"  
**Insert:** ", "

5. Page 2, line 12.  
**Strike:** "A PARTY ARBITRATOR AND NOT"

6. Page 2, line 13.  
**Following:** "ARBITRATOR"  
**Strike:** remainder of line 13 in its entirety

7. Page 3, line 3.  
**Following:** "person"  
**Insert:** "proposed,"  
**Following:** "nominated"  
**Insert:** ", "

8. Page 3, line 5.  
**Following:** line 4  
**Insert:** "proposal,"  
**Following:** "nomination"  
**Insert:** ", "

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence: 3/31/2009

**HB 187**, introduced by Taylor  
**HB 575**, introduced by McChesney  
**HB 631**, introduced by Blewett  
**HB 656**, introduced by Stahl  
**HB 658**, introduced by Jopek  
**HB 662**, introduced by Arntzen  
**HB 669**, introduced by Vincent  
**HB 678**, introduced by Pomnichowski

**HB 674**, introduced by Vincent, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and was transmitted to the Senate with the following vote: 3/31/2009

Yeas - 98  
Nays - 2

**Senate bills** concurred in as amended and returned to the Senate for concurrence in House amendments: 3/31/2009

**SB 8**, introduced by Hansen  
**SB 104**, introduced by Esp  
**SB 158**, introduced by Barkus  
**SB 164**, introduced by Debby Barrett  
**SB 174**, introduced by Perry  
**SB 202**, introduced by Hinkle  
**SB 247**, introduced by Black

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**SB 299**, introduced by J. Tropila  
**SB 310**, introduced by Shockley  
**SB 348**, introduced by Essmann  
**SB 351**, introduced by Essmann  
**SB 371**, introduced by Perry  
**SB 399**, introduced by Laslovich  
**SB 403**, introduced by Gebhardt  
**SB 404**, introduced by Brueggeman  
**SB 449**, introduced by Keane

**Senate joint resolution** concurred in as amended and returned to the Senate for concurrence in House amendments:

3/31/2009

**SJR 15**, introduced by Tutvedt

**Senate bills not concurred in** by the Committee of the Whole and returned to the Senate:

3/31/2009

**SB 229**, introduced by Perry  
**SB 246**, introduced by Perry

**MOTIONS**

Senator Peterson moved the appointment of a free conference committee on **HB 622** and asked the House to appoint a like committee.

Senator Peterson withdrew his motion.

Senator Essmann moved to re-refer **HB 361** from Taxation to Local Government. Motion carried.

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate joint resolutions were introduced, read first time, and referred to committee:

**SJR 35**, introduced by Schmidt, MacLaren, referred to Public Health, Welfare and Safety.  
**SJR 36**, introduced by Gebhardt, Keane, referred to Natural Resources.

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

**HB 187**, introduced by Taylor, Jackson, Blasdel, referred to Highways and Transportation.  
**HB 575**, introduced by McChesney, Ankney, Augare, Kerns, MacLaren, McNutt, Sesso, Steenson, Bales, Keane, referred to Natural Resources.  
**HB 631**, introduced by Blewett, referred to Taxation.  
**HB 656**, introduced by Stahl, referred to Business, Labor, and Economic Affairs.  
**HB 658**, introduced by Jopek, Gebhardt, Pomnichowski, Essmann, Gillan, referred to Taxation.  
**HB 662**, introduced by Arntzen, referred to Public Health, Welfare and Safety.  
**HB 669**, introduced by Vincent, Cohenour, Nooney, Pomnichowski, Van Dyk, Reinhart, Hands, Blewett, Milburn, Menahan, Hendrick, Dickenson, Belcourt, Mehlhoff, Bennett, McGillvray, Warburton, referred to Natural Resources.  
**HB 674**, introduced by Vincent, Cohenour, Pomnichowski, Hendrick, Miller, Mendenhall, Belcourt, Nooney, Blewett, Mehlhoff, Bennett, Menahan, Reinhart, Van Dyk, Hands, Hoven, referred to Natural Resources.

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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 Balyeat in the chair.

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

**HB 40** - Senator Perry moved **HB 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 536** - Senator Laslovich moved **HB 536** be concurred in.

**HB 536** - Senator Laslovich moved **HB 536**, second reading copy, be amended as follows:

1. Title, line 5 through line 6.

**Following:** line 4

**Strike:** line 5 through "RESTRICTION;" on line 6

2. Page 2, line 12.

**Following:** "shall"

**Insert:** "restrict the person to driving only a motor vehicle equipped with a functioning ignition interlock device during the probationary period or"

3. Page 2, line 12 through line 13.

**Following:** "that" on line 12

**Strike:** remainder of line 12 through "(a)" on line 13

4. Page 2, line 14.

**Following:** "61-8-421"

**Strike:** "; or"

**Insert:** "."

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5. Page 2, line 15 through line 18.

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

Amendment adopted 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, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: Juneau.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 536** - Senator Laslovich moved **HB 536**, as amended, be concurred in. Motion carried as follows:

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

Total 43

Nays: Barkus, Brenden, Gebhardt, Juneau, Murphy, Peterson, Tutvedt.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 534** - Senator Shockley moved **HB 534** be concurred in. Motion carried as follows:

Yeas: Bales, Barrett, Black, Branae, 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 46

Nays: Balyeat, Barkus, Brenden, R. Brown.

Total 4

Absent or not voting: None.

Total 0

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Excused: None.  
Total 0

**HB 109** - Senator Jent moved **HB 109** be concurred in. Motion carried as follows:

Yeas: Bales, Black, Branae, T. Brown, Brueggeman, Cooney, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Mr. President.  
Total 37

Nays: Balyeat, Barkus, Barrett, Brenden, R. Brown, Curtiss, Esp, Hinkle, Jackson, McGee, Ripley, Steinbeisser, Zinke.  
Total 13

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 533** - Senator Jent moved **HB 533** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Perry, Peterson, Schmidt, Shockley, Squires, Steinbeisser, Tutvedt, Wanzenried, Williams, Mr. President.  
Total 40

Nays: Erickson, Juneau, Kaufmann, Murphy, Ripley, Stewart-Peregoy, J. Tropila, M. Tropila, Windy Boy, Zinke.  
Total 10

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 574** - Senator Jent moved **HB 574** 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, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 47

Nays: Juneau, Kaufmann, Murphy.  
Total 3

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Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 608** - Senator Laslovich moved **HB 608** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.  
Total 46

Nays: Balyeat, Curtiss, Hinkle, Mr. President.  
Total 4

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HJR 9** - Senator Zinke moved **HJR 9** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 107** - Senator Schmidt moved **HB 107** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 50

Nays: None.



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Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 112** - Senator Zinke moved **HB 112** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 46

Nays: Balyeat, R. Brown, Hinkle, Tutvedt.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 123** - Senator J. Peterson moved consideration of **HB 123** be passed for the day. Motion carried.

**HB 127** - Senator Cooney moved **HB 127** be concurred in. Motion carried as follows:

Yeas: Bales, Barrett, Black, Branae, Brenden, T. Brown, Brueggeman, Cooney, Erickson, Esp, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 42

Nays: Balyeat, Barkus, R. Brown, Curtiss, Essmann, Hinkle, McGee, Tutvedt.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Steinbeisser excused at this time.

**HB 211** - Senator Keane moved **HB 211** be concurred in. Motion failed as follows:

Yeas: Bales, Balyeat, Barrett, T. Brown, Brueggeman, Cooney, Curtiss, Essmann, Gillan, Laslovich, Lewis, Perry, Ripley, Schmidt, Shockley, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Mr. President.

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Total 21

Nays: Barkus, Black, Branae, Brenden, R. Brown, Erickson, Esp, Gallus, Gebhardt, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, McGee, Moss, Murphy, Peterson, Squires, Tutvedt, Windy Boy, Zinke.

Total 28

Absent or not voting: None.

Total 0

Excused: Steinbeisser.

Total 1

Senator Steinbeisser present at this time.

**HB 211** - Senator Keane moved **HB 211** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bales, Barkus, Branae, Brenden, R. Brown, Brueggeman, Curtiss, Erickson, Gallus, Hamlett, Hansen, Hinkle, Jackson, Jent, Juneau, Keane, Larsen, Lewis, Murphy, Perry, Peterson, Squires, Steinbeisser, Wanzenried, Williams, Windy Boy, Zinke.

Total 27

Nays: Balyeat, Barrett, Black, T. Brown, Cooney, Esp, Essmann, Gebhardt, Gillan, Hawks, Kaufmann, Laible, Laslovich, McGee, Moss, Ripley, Schmidt, Shockley, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Mr. President.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 246** - Senator Jackson moved **HB 246** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 27

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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**HB 374** - Senator Keane moved **HB 374** be concurred in. Motion carried as follows:

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

Total 46

Nays: Balyeat, Esp, Gebhardt, McGee.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 499** - Senator Brenden moved **HB 499** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman Balyeat 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 34** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried,

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Williams, Windy Boy, Zinke, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 59** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 103** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 170** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney,

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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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 190** 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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: Balyeat, Hinkle.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 228** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Squires, Steinbeisser, M. Tropila, Tutvedt, Wanzenried, Zinke, Mr. President.

Total 40

Nays: Erickson, Hansen, Juneau, Kaufmann, Moss, Schmidt, Stewart-Peregoy, J. Tropila, Williams, Windy Boy.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 371** concurred in as follows:

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Yeas: Bales, Barkus, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.  
Total 43

Nays: Balyeat, Barrett, Esp, McGee, Ripley, Steinbeisser, Mr. President.  
Total 7

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 420** concurred in as follows:

Yeas: Black, Branae, T. Brown, Brueggeman, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Murphy, Perry, Peterson, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 32

Nays: Bales, Balyeat, Barkus, Barrett, Brenden, R. Brown, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Laible, Lewis, McGee, Ripley, Shockley, Steinbeisser, Tutvedt.  
Total 18

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 466** 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, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: McGee.  
Total 1

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 477** concurred in as follows:

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SEVENTY-SECOND LEGISLATIVE DAY - APRIL 1, 2009

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, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 504** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, 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, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 45

Nays: R. Brown, Curtiss, Hinkle, Jackson, McGee.  
Total 5

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 628** 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, Squires, Steinbeisser, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.  
Total 49

Nays: Stewart-Peregoy.  
Total 1

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Peterson moved that the Senate adjourn until 1:00 p.m., Thursday, April 2, 2009. Motion carried.

Senate adjourned at 2:54 p.m.

MARILYN MILLER  
Secretary of the Senate

ROBERT STORY  
President of the Senate