

**SENATE JOURNAL  
62<sup>ND</sup> LEGISLATURE  
SEVENTH LEGISLATIVE DAY**

Helena, Montana  
January 10, 2011

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Peterson presiding. Invocation by Chaplain Keith Johnson. Pledge of Allegiance to the Flag. Roll Call. All members present, SD 6 vacant. Quorum present.

Senator Williams announced the Democrats would recess for caucus.

Senator Essmann announced the Republicans would recess for caucus.

Senate reconvened at 1:15 p.m.

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Shockley, Chairman): 1/10/2011

**SB 19**, introduced bill, be amended as follows:

1. Page 2, line 4.

**Following:** "7-4-2613(1)(c)"

**Insert:** "and be recorded with the clerk and recorder in each county in which the real property or any part of the real property is located"

And, as amended, do pass. Report adopted.

**SB 21**, introduced bill, be amended as follows:

1. Page 1, line 12.

**Following:** the second "or"

**Insert:** ", if the court does not act,"

And, as amended, do pass. Report adopted.

**SB 26**, do pass. Report adopted.

**SB 41**, do pass. Report adopted.

**SB 72**, do pass. Report adopted.

**LEGISLATIVE ADMINISTRATION** (Brown, Chairman): 1/10/2011

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, January 8, 2011:

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<u>TITLE</u>	<u>NAME</u>
Pages:	Maggie Fairclough, Helena Brendan Fox, Helena John Michael Meuli, Great Falls Kenzie Lombardi, Missoula

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, January 10, 2011:

<u>TITLE</u>	<u>NAME</u>
Pages:	Teryn Green, Anaconda Nathan Stenson, Billings Tim Koenig, Kalispell Caleb Laszloffy, Laurel

Report adopted.

**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 Peterson in the chair.

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

**SR 1** - Senator Essmann moved **SR 1** 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, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Zinke, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: SD 6.  
Total 1

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**SJR 1** - Senator Essmann moved **SJR 1** do pass.

**SJR 1** - Senator Gillan moved **SJR 1**, second reading copy, be amended as follows:

1. Page 12, line 19.

**Strike:** "and Bills Proposing Referenda"

2. Page 19, line 10.

**Strike:** "A BILL PROPOSING A REFERENDUM,"

3. Page 19, line 14.

**Strike:** "BILLS PROPOSING REFERENDA,"

4. Page 19, line 16.

**Strike:** "and bills proposing referenda"

Amendment **not** adopted 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, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Tutvedt, Vincent, Walker, Wittich, Zinke, Mr. President.

Total 27

Absent or not voting: None.

Total 0

Excused: SD 6.

Total 1

**SJR 1** - Senator Essmann moved **SJR 1** do pass. Motion carried as follows:

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

Total 34

Nays: Blewett, Branae, Caferro, Erickson, Gillan, Jent, Kaufmann, Keane, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 15

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Absent or not voting: None.

Total 0

Excused: SD 6.

Total 1

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

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

Total 34

Nays: Blewett, Caferro, Erickson, Facey, Gillan, Jent, Kaufmann, Keane, Moss, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 15

Absent or not voting: None.

Total 0

Excused: SD 6.

Total 1

**SPECIAL ORDERS OF THE DAY**

Sen. Brown introduced the pages for the week of January 10-15, 2011.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 1:00 p.m., Tuesday, January 11, 2011. Motion carried.

Senate adjourned at 2:00 a.m.

MARILYN MILLER  
Secretary of the Senate

JIM PETERSON  
President of the Senate