

**SENATE JOURNAL
62ND LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 1, 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, except Senator Zinke, excused. Quorum present.

BILLS AND JOURNALS:

2/1/2011

Correctly printed: **SB 105, SB 126, SB 135, SB 140, SB 160, SB 166, SR 2.**
Correctly engrossed: **SB 143, SB 173.**

Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the eleventh, twelfth, thirteenth, fourteenth, and fifteenth legislative days, find the same to be correct.

Senator Brown, Chair

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Zinke, Chairman):
SJR 8, introduced joint resolution, be amended as follows:

1/31/2011

1. Page 1, line 15.

Following: "water,"

Strike: "and access to"

Following: "fishing,"

Strike: "open space,"

2. Page 2, line 7.

Following: "on"

Strike: "sustainable land use policy"

Insert: "agricultural and livestock production capabilities"

3. Page 2, line 8.

Strike: "agricultural and livestock production capabilities,"

4. Page 2, line 10.

Strike: "access to hunting, fishing, open space, and"

Following: "recreation"

Insert: "and hunting opportunities"

And, as amended, do pass. Report adopted.

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

JUDICIARY (Murphy, Chairman): 2/1/2011
SB 149, do pass. Report adopted.
SB 151, do pass. Report adopted.
SB 153, do pass. Report adopted.

LOCAL GOVERNMENT (Sonju, Chairman): 1/31/2011
SB 117, introduced bill, be amended as follows:

1. Title, line 4.

Following: "REQUIRING"

Insert: "CERTAIN"

Following: "GOVERNMENTS"

Strike: ", CERTAIN"

Insert: "AND"

2. Title, line 5.

Strike: ", AND SCHOOL DISTRICTS"

3. Title, line 7.

Following: "BODY"

Strike: ", "

Insert: "OR"

4. Title, line 8.

Following: "BOARD"

Strike: ", OR SCHOOL DISTRICT BOARD OF TRUSTEES"

5. Title, line 11.

Strike: "7-1-4124,"

Insert: "AND"

Strike: "AND 20-3-324,"

6. Page 1, line 15 through page 2, line 15.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 2, lines 26 and 27.

Strike: "person" on line 26 through "state" on line 27

Insert: "resident elector of the county"

8. Page 3, line 1 through line 3.

Strike: "written" on line 1 through "coordination" on line 3

Insert: "petition signed by at least 3% of the resident electors of the county demanding a response.

The petition must identify the applicable federal plan or policy and the applicable county plan or policy described in subsection (1) and a statement of how the county's failure to

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

coordinate or comply with the provisions of this section has injured the person"

9. Page 3, line 4.

Strike: "demand for response"

Insert: "petition"

10. Page 3, line 28 through line 29.

Strike: "person" on line 28 through "state" on line 29

Insert: "resident elector of the district"

11. Page 4, line 4 through line 5.

Strike: "written" on line 4 through "coordination" on line 5

Insert: "petition signed by at least 3% of the resident electors of the district demanding a response. The petition must identify the applicable federal plan or policy and the applicable district plan or policy described in subsection (1) and a statement of how the governing body's or district board's failure to coordinate or comply with the provisions of this section has injured the person"

12. Page 4, line 6.

Strike: "demand for response"

Insert: "petition"

13. Page 4, line 20 through page 5, line 19.

Strike: section 4 in its entirety

Renumber: subsequent sections

14. Page 6, line 6.

Strike: "[sections 1 and 2]"

Insert: "[section 1]"

15. Page 6, line 22.

Strike: "2"

Insert: "1"

16. Page 6, line 24 through page 7, line 30.

Strike: section 7 in its entirety

Renumber: subsequent sections

17. Page 9, line 11.

Strike: "3"

Insert: "2"

18. Page 9, line 13 through page 11, line 29.

Strike: section 9 in its entirety

Renumber: subsequent section

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

19. Page 12, line 1 through line 8.

Strike: section 10 in its entirety

Insert: "NEW SECTION. Section 6. Codification instruction. (1) [Section 1] is intended to be codified as an integral part of Title 7, chapter 1, part 21, and the provisions of Title 7, chapter 1, part 21, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 7, chapter 11, part 10, and the provisions of Title 7, chapter 11, part 10, apply to [section 2]."

And, as amended, do pass. Report adopted.

SB 180, introduced bill, be amended as follows:

1. Page 1, lines 13 and 14.

Strike: "over" on line 13 through "\$1,000" on line 14

Insert: "or permits any person to do so"

And, as amended, do pass. Report adopted.

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

2/1/2011

SB 132, introduced bill, be amended as follows:

1. Page 3, line 19.

Following: "16"

Insert: ", except for the provisions of 37-16-304"

2. Page 3, line 29.

Following: "15"

Insert: ", except that the provisions of 37-16-304 apply to licensed audiologists"

And, as amended, do pass. Report adopted.

SB 189, do pass. Report adopted.

TAXATION (Tutvedt, Chairman):

2/1/2011

SB 172, introduced bill, be amended as follows:

1. Page 6, lines 25.

Strike: "superconducting magnetic energy storage property,"

2. Page 6, line 26 through line 27.

Strike: "and other energy storage property," on line 26

Following: "combination of energy storage" on line 26

Strike: "property" on line 26 through "personal property that is" on line 27

Insert: "facilities"

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

3. Page 6, line 28.

Following: "and"

Insert: "associated property, appurtenant land and improvements, and personal property"

Strike: "is"

Insert: "are"

4. Page 7, line 13 through line 16.

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

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

February 1, 2011

The Honorable Mike Milburn, Speaker of the House
The Honorable Jim Peterson, President of the Senate
State Capitol
Helena, MT 59601

Dear Speaker Milburn and President Peterson:

In accordance with the rules of your respective chambers, please consider this letter a Message from the Governor regarding House Bill No. 1 ("HB 1"), otherwise known as the "feed bill. Yesterday, I signed HB 1 into law. HB 1 appropriates money from the general fund for the operation of the current Legislature, to which I have no objection. However, HB 1 also appropriates money for ongoing legislative expenses over the next biennium, including funding initial costs for the next Legislature.

Because we are here to put the people first, not ourselves, I considered an amendatory veto and also considered letting the bill become law without my signature. However, either option would have delayed passage of the feed bill, and I have been informed that the Legislature has "run up against the clock" and is without money to pay its staff should HB 1 not go into law before tomorrow. In order that legislative staff could be paid and the Legislature not come to a grinding halt tomorrow, I decided not to pursue an amendatory veto or "pocket signing" of the bill. However, I wanted you to know of my objections.

Of find it ironic that the Legislature has used the feed bill to fund itself in the 2013 biennium, while simultaneously cutting critical services for Montanans. Today, the State of Montana has \$376 million in the bank. Yet in the last few days, the Joint Subcommittees voted to eliminate or reduce critical programs for Montana citizens. HB 1 -- the first bill and the first appropriations bill to be delivered to me for signature -- has put the Legislature ahead of the people of Montana for the next biennium.

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

As you know, the budget I presented to you is balanced. It not only puts jobs and people first, it sets aside \$238 million for an ending fund balance. HB 1 is the first bill to spend the revenues anticipated to be available for the 2013 biennium. I take it as a sign from the 2011 Legislature that when it decided to fund itself first, it did so as a sign that revenues are increasing and jobs and important services for Montanans will not be left behind.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 1/31/2011

HB 95, introduced by McNutt
HB 106, introduced by Lavin
HB 144, introduced by Washburn
HB 176, introduced by Kary
HB 236, introduced by Greef
HB 258, introduced by Edmunds
HB 268, introduced by Klock
HB 270, introduced by Lavin

House joint resolution passed and transmitted to the Senate for concurrence: 1/31/2011

HJR 4, introduced by K. Peterson

FIRST READING AND COMMITMENT OF BILLS

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

SB 254, introduced by Hutton, Vincent, Murphy, Arthun, Warburton, Ankney, Walker, Jackson, Harris, Stahl, Flynn, G. Bennett, referred to Judiciary.

SB 255, introduced by Brenden, referred to Fish and Game.

SB 256, introduced by Gillan, O'Hara, referred to Business, Labor, and Economic Affairs.

SB 257, introduced by Balyeat, Jackson, Wittich, Zinke, Shockley, Hinkle, Arthun, referred to State Administration.

SB 258, introduced by Buttrey, Sonju, referred to Business, Labor, and Economic Affairs.

SB 259, introduced by Buttrey, Olson, referred to Business, Labor, and Economic Affairs.

SB 260, introduced by Windy Boy, Hamlett, Blewett, Phillips, Driscoll, Buttrey, Stewart-Peregoy,

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

Keane, Augare, Caferro, Gallus, referred to Business, Labor, and Economic Affairs.

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

HB 17, introduced by Hollandsworth (by request of the Revenue and Transportation Interim Committee), referred to Business, Labor, and Economic Affairs.

HB 23, introduced by Furey (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

HB 29, introduced by McNiven (by request of the State Auditor), referred to Business, Labor, and Economic Affairs.

HB 45, introduced by Ingraham (by request of the Department of Administration), referred to State Administration.

HB 47, introduced by K. Peterson (by request of the Department of Fish, Wildlife, and Parks), referred to Fish and Game.

HB 54, introduced by Vance (by request of the Economic Affairs Interim Committee), referred to Agriculture, Livestock and Irrigation.

HB 63, introduced by Noonan (by request of the Department of Revenue), referred to Business, Labor, and Economic Affairs.

HB 94, introduced by Arntzen (by request of the Department of Labor and Industry), referred to Business, Labor, and Economic Affairs.

HB 98, introduced by Welborn (by request of the Department of Fish, Wildlife, and Parks), referred to Fish and Game.

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

HJR 1, introduced by Milburn (by request of the Environmental Quality Council), referred to Fish and Game.

**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 Arthun in the chair.

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

SB 133 - Senator Barrett moved **SB 133** do pass.

SB 133 - Senator Barrett moved **SB 133**, second reading copy, be amended as follows:

1. Page 3, line 14.

Following: "23,"

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

Insert: "40,"

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, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 133 - Senator Barrett moved **SB 133**, as amended, 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, Jackson, Jent, Jones, Kaufmann, Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Williams, Windy Boy, Wittich, Mr. President.

Total 48

Nays: Van Dyk.

Total 1

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 146 - Senator Lake moved **SB 146** do pass. Motion carried as follows:

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,

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 156 - Senator Windy Boy moved **SB 156** 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, 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, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 159 - Senator Priest moved **SB 159** do pass. 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, Mr. President.

Total 27

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.

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

Total 0

Excused: Zinke.

Total 1

SB 201 - Senator Walker moved **SB 201** do pass. Motion carried as follows:

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

Total 30

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

Total 19

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 221 - Senator Gillan moved **SB 221** 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, 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, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

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

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

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

Total 43

Nays: Blewett, Gillan, Jent, Kaufmann, Larsen, Williams.

Total 6

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

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 105 passed 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, Mr. President.

Total 27

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: Zinke.

Total 1

SB 126 passed as follows:

Yeas: Arthun, Augare, Barrett, Blewett, Branae, Brenden, Brown, Caferro, Erickson, Essmann, Facey, Gallus, Gillan, Hamlett, Hawks, Hutton, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Moore, Moss, Murphy, Olson, Ripley, Steinbeisser, Stewart-Peregoy, Tropila, Van Dyk,

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

Vuckovich, Wanzenried, Williams, Windy Boy, Mr. President.

Total 36

Nays: Balyeat, Buttrey, Hinkle, Jackson, Lake, Mowbray, Priest, Shockley, Sonju, Tutvedt, Vincent, Walker, Wittich.

Total 13

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 135 passed 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, Keane, Lake, Larsen, Lewis, Moore, Moss, Mowbray, Murphy, Olson, Priest, Ripley, Shockley, Sonju, Steinbeisser, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Mr. President.

Total 47

Nays: Kaufmann, Williams.

Total 2

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 140 passed 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, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

Total 0

Excused: Zinke.

Total 1

SB 160 passed 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, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

SB 166 passed 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, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Zinke.

Total 1

UNFINISHED BUSINESS

SENATE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2011

Senator Barrett questioned why **SB 143**, which passed Second Reading on Legislative Day 24, was not placed on Third Reading. President Peterson responded that SB 143 was amended and would be placed on Third Reading the next legislative day.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Essmann moved that the Senate adjourn until 1:00 p.m., Wednesday, February 2, 2011. Motion carried.

Senate adjourned at 2:19 p.m.

MARILYN MILLER
Secretary of the Senate

JIM PETERSON
President of the Senate