

**SENATE JOURNAL
57TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 17, 2001

Senate Chambers
State Capitol

Senate convened at 8:30 a.m. President Beck presiding. Invocation by Reverend Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Harrington, R. Holden, Stonington, and Waterman, excused. Quorum present.

Mr. President: We, your committee on Bills and Journal, having examined the daily journal for the fifty-seventh legislative day, find the same to be correct.

Miller, Chairman

SPECIAL ORDERS OF THE DAY

Senator Grosfield reported to the Senate that the negotiating committee had met, and were ready with their demands of the House, to reclaim the President's chair, gavel, microphones, telephones, etc. Senator Grosfield challenged the members of the Senate to contribute money to the Big Brothers and Big Sisters organization, and he would request the House to meet or beat the amount the Senate collected. The Senate recessed to the House for negotiations. The House "graciously" accepted the challenge of the Senate to collect money, and did, in fact, beat the amount collected by the Senate, they of course having more members! Negotiations for the remainder of the "missing" items from both houses, were carried out to the satisfaction of both parties. Trophies were given to the **Senate** as the winners of the first half of the Senate/House basketball game, and to the **House** for the second half of the game, with the House basketball team receiving the "game" trophy.

Senate reconvened at 8:55 a.m.

Roll Call. All members present, except Senators Harrington, Holden, Stonington and Waterman, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 3/17/2001

Correctly printed: SR 16, SR 21, HB 292, HB 386, HB 451, HB 461, HB 533, HJR 16.

Correctly engrossed: SB 220, SB 315, SB 350, SB 466, SB 496, HB 63, HB 73, HB 87, HB 266, HB 279, HB 368, HB 377, HB 381, HB 387, HB 437, HB 472, HB 502, HB 560, HB 582.

Examined by the sponsor and found to be correct: SB 175.

Signed by the Speaker at 5:15 p.m., March 16, 2001: SB 34, SB 97, SB 102, SB 106, SB 143.

Signed by the President at 9:30 a.m., March 17, 2001: SB 20, SB 53, SB 55, SB 91, SB 161, SB 165, SB 209, SB 234, SB 252, SB 269, SR 20.

Signed by the Secretary of Senate at 10:30 a.m., March 17, 2001: SB 34, SB 97, SB 102, SB 106, SB 143, SR 20.

Signed by the Secretary of Senate at 12:30 p.m., March 17, 2001: SR 20

STATE ADMINISTRATION (Hargrove, Chairman): 3/16/2001

HB 63, be amended as follows:

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1. Title, line 11.

Following: "COSTS;"

Insert: "CREATING A STATE DEBT;"

2. Page 15.

Following: line 28

Insert: "NEW SECTION. Section 12. Two-thirds vote required. Because [section 11] authorizes the creation of a state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."

Renumber: subsequent sections

3. Page 16.

Following: line 2

Insert: "NEW SECTION. Section 14. Coordination instruction. If Senate Bill No. 306 is passed and approved and if it includes language providing for a disability benefit equal to one-fiftieth of the member's final average salary multiplied by the member's years of total service credit, then [section 1(1) of this act] is amended to read: "(1)(a) Except as provided in subsection(1)(b), a disabled member eligible under the provisions of this section is entitled to a disability benefit equal to one fifty-sixth of the member's final average salary, as defined in 19-3-108, multiplied by the member's years of service, including any service credit purchased under 19-3-513.

(b) An eligible member with at least 25 years of service credit is entitled to a disability benefit equal to one-fiftieth of the member's final average salary, as defined in 19-3-108, multiplied by the member's years of service credit, including any service credit purchased under 19-3-513.""

Renumber: subsequent sections

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

TAXATION (DePratu, Chairman):

3/16/2001

SB 350, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "EQUAL TO 50 PERCENT"

Insert: "A PERCENTAGE"

Strike: ", BUT"

Insert: "AND"

2. Title, line 8.

Following: "PARTNERSHIPS;"

Insert: "PROVIDING THAT FOR THE PURPOSES OF THE QUALIFIED ENDOWMENT CREDIT UNDER STATE TAX LAW, THE AFFORDABLE HOUSING REVOLVING LOAN ACCOUNT IS A QUALIFIED ENDOWMENT; AMENDING SECTION 15-30-165, MCA;"

3. Title, line 8.

Strike: the third "AND"

Insert: ", "

4. Title, line 9.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

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5. Page 1, line 15.

Strike: "50%"

Insert: "40%"

Strike: "the taxpayer"

Insert: "an individual taxpayer or 20% of the amount donated by a taxpayer under Title 15, chapter 31,"

6. Page 1, line 18.

Strike: "an individual"

Insert: "a"

7. Page 1, line 20.

Strike: "or"

Insert: ", "

Following: "15-30-136(2)"

Insert: ", or 15-31-114"

8. Page 1, line 25.

Following: line 24

Insert: "(1) A contribution to the affordable housing revolving loan account as provided in [section 1] by a small business corporation, as defined in 15-31-201, a partnership, or a limited liability company, as defined in 35-8-102, carrying on any trade or business for which deduction would be allowed under section 162 of the Internal Revenue Code, 26 U.S.C. 162, or carrying on any rental activity qualifies for the credit provided in [section 1].

(2)"

9. Page 1, line 29.

Following: line 28

Insert: "**Section 3.** Section 15-30-165, MCA, is amended to read:

"15-30-165. (Temporary) Qualified endowments credit -- definitions. For the purposes of 15-30-166, the following definitions apply:

(1) "Planned gift" means an irrevocable contribution to a permanent endowment held by a tax-exempt organization, or for a tax-exempt organization, when the contribution uses any of the following techniques that are authorized under the Internal Revenue Code:

- (a) charitable remainder unitrusts, as defined by 26 U.S.C. 664;
- (b) charitable remainder annuity trusts, as defined by 26 U.S.C. 664;
- (c) pooled income fund trusts, as defined by 26 U.S.C. 642(c)(5);
- (d) charitable lead unitrusts qualifying under 26 U.S.C. 170(f)(2)(B);
- (e) charitable lead annuity trusts qualifying under 26 U.S.C. 170(f)(2)(B);
- (f) charitable gift annuities undertaken pursuant to 26 U.S.C. 1011(b);
- (g) deferred charitable gift annuities undertaken pursuant to 26 U.S.C. 1011(b);
- (h) charitable life estate agreements qualifying under 26 U.S.C. 170(f)(3)(B);
- (i) paid-up life insurance policies meeting the requirements of 26 U.S.C. 170.

(2) (a) "Qualified endowment" means a permanent, irrevocable fund that is held by a Montana incorporated or established organization that:

~~(a)~~ (i) is a tax-exempt organization under 26 U.S.C. 501(c)(3); or

~~(b)~~ (ii) is a bank or trust company, as defined in Title 32, chapter 1, part 1, that is holding the fund on behalf of a tax-exempt organization.

(b) For the purposes of sections 15-30-165 through 15-30-167, the affordable housing revolving loan account

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established in 90-6-133 is considered qualified endowment. (Terminates December 31, 2001--sec. 9, Ch. 537, L. 1997.)

Renumber: subsequent sections

10. Page 2.

Following: line 8

Insert: "NEW SECTION. Section 7. Termination. [This act] terminates December 31, 2004."

And, as amended, do pass. Report adopted.

HB 377, be amended as follows:

1. Title, page 1, line 7.

Following: "YEARS;"

Strike: "AND"

2. Title, page 1, line 8.

Strike: "AND"

Following: "15-31-161,"

Insert: "AND 15-31-162,"

3. Title, page 1, line 9.

Following: "1997"

Insert: "; AND PROVIDING EFFECTIVE DATES AND AN APPLICABILITY DATE"

4. Page 1, line 14.

Following: "definitions"

Insert: "-- rules"

5. Page 2, line 2.

Strike: "(" through ")"

6. Page 2, line 11.

Strike: "described" through "U.S.C. 72,"

Insert: "adopted by rule by the department"

7. Page 2, line 14.

Strike: "beneficiaries"

Following: "interest"

Insert: "of the annuitant or annuitants"

Strike: "deferred"

8. Page 2, line 16.

Strike: "beneficiaries"

Insert: "annuitant or annuitants"

9. Page 2.

Following: line 17

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Insert: "(4) The department shall adopt rules to prepare life expectancy tables that are derived from the actuarial tables contained in the most recent Publication 1457 by the internal revenue service.(Terminates December 31, ~~2001~~ 2007--sec. 9, Ch. 537, L. 1997.)"

10. Page 2, line 30.

Strike: "2001"

Insert: "2007"

11. Page 3, line 13.

Strike: "2001"

Insert: "2007"

Following: line 13

Insert: "**Section 4.** Section 15-31-162, MCA, is amended to read:

"15-31-162. (Temporary) Small business corporation, partnership, and limited liability company credit for contribution to qualified endowment. A contribution to a qualified endowment, as defined in 15-30-165, by a small business corporation, as defined in 15-31-201, a partnership, or a limited liability company, as defined in 35-8-102, carrying on any trade or business for which deductions would be allowed under section 162 of the Internal Revenue Code, 26 U.S.C. 162, or carrying on any rental activity qualifies for the credit provided in 15-31-161. The credit must be attributed to shareholders, partners, or members or managers of a limited liability company in the same proportion used to report the corporation's, partnership's, or limited liability company's income or loss for Montana income tax purposes. The maximum credit that a shareholder of a small business corporation, a partner of a partnership, or a member or manager of a limited liability company may claim in a year is \$10,000, subject to the limitations in 15-30-166(2). The credit allowed under this section may not exceed the taxpayer's income tax liability. There is no carryback or carryforward of the credit permitted under this section, and the credit must be applied to the tax year in which the contribution is made. (Terminates December 31, ~~2001~~ 2007--sec. 9, Ch. 537, L. 1997.)"

Renumber: subsequent sections

12. Page 3.

Following: line 16

Insert: "NEW SECTION. Section 6. Coordination instruction. If House Bill No. 143 and [this act] are both passed and approved and if House Bill No. 143 includes a section that amends 15-31-162, then [section 12] of House Bill No. 143, amending 15-31-162, is void."

Insert: "NEW SECTION. Section 7. Effective dates. (1) Except as provided in subsection (2), [this act] is effective October 1, 2001.

(2) For the purposes of promulgating administrative rules, [section 1(4) and this section] are effective on passage and approval."

Insert: "NEW SECTION. Section 8. Applicability. [This act] applies to tax years beginning after December 31, 2001, and to contributions to qualified endowments made after December 31, 2001."

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

MESSAGES FROM THE GOVERNOR

March 16, 2001

The Honorable Tom Beck
President of the Senate
State Capitol

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Helena, Montana 59620

Dear Senator Beck:

Please be informed that I have signed **Senate Bill 32** sponsored by Senator Shea on March 16, 2001.

Sincerely,
JUDY MARTZ
Governor

MOTIONS

Majority Leader Thomas moved that the **rules** of the Senate **be suspended** for the late drafting and introduction of a bill pertaining to MCA 15-38-106, concerning the clarification of the RIT tax. Motion carried as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.
Total 46

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Harrington, Holden, Stonington, Waterman.
Total 4

HJR 32 - Senator Ekegren moved that consideration of **HJR 32**, on second reading this day, be postponed until the sixty-second legislative day, March 19, 2001. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 504, introduced by Kitzenberg, referred to Taxation.

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

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

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

SB 33 - House Amendments - Senator McCarthy moved House amendments to **SB 33** be concurred in. Motion carried

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unanimously.

SB 52 - House Amendments - Senator Roush moved House amendments to **SB 52** be concurred in. Motion carried unanimously.

HB 131 - Senator DePratu moved **HB 131** be concurred in. Motion carried as follows:

Yeas: Berry, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Jergeson, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Mohl, Nelson, O'Neil, Pease, Ryan, Shea, Sprague, Stapleton, Tash, Tester, Thomas, Toole, Wells, Zook, Mr. President.

Total 38

Nays: Bishop, Butcher, Cobb, Ekegren, Keenan, Miller, Roush, Taylor.

Total 8

Absent or not voting: None.

Total 0

Excused: Harrington, Holden, Stonington, Waterman.

Total 4

Senator Miller assumed the chair.

HB 406 - Senator R. Johnson moved **HB 406** be concurred in. Motion carried with Senators Cobb and O'Neil voting nay.

HB 47 - Senator R. Johnson moved **HB 47** be concurred in. Motion carried unanimously.

HB 116 - Senator Elliott moved **HB 116** be concurred in. Motion carried unanimously.

Senator Johnson reassumed the chair.

HB 239 - Senator Butcher moved **HB 239** be concurred in. Motion carried with Senators Keenan and O'Neil voting nay.

HB 247 - Senator Cole moved **HB 247** be concurred in. Motion carried as follows:

Yeas: Berry, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.

Total 41

Nays: Bishop, Cobb, Jergeson, Miller.

Total 4

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Absent or not voting: Elliott.
Total 1

Excused: Harrington, Holden, Stonington, Waterman.
Total 4

HB 293 - Senator Franklin moved **HB 293** be concurred in. Motion carried as follows:

Yeas: Bishop, Christiaens, Doherty, Ekegren, Ellingson, Elliott, Franklin, Grosfield, Halligan, Hargrove, Jergeson, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Tash, Tester, Thomas, Toole, Wells, Zook.
Total 28

Nays: Berry, Bohlinger, Butcher, Cobb, Cocchiarella, Crismore, DePratu, Ellis, Glaser, Grimes, Keenan, Miller, Mohl, Sprague, Stapleton, Mr. President.
Total 16

Absent or not voting: Cole, Taylor.
Total 2

Excused: Harrington, Holden, Stonington, Waterman.
Total 4

Senator Franklin excused at this time.

HB 363 - Senator McNutt moved **HB 363** be concurred in. Motion carried unanimously.

HB 374 - Senator Pease moved **HB 374** be concurred in. Motion carried unanimously.

HB 439 - Senator Toole moved **HB 439** be concurred in. Motion carried with Senator Beck voting nay.

HB 440 - Senator Bohlinger moved **HB 440** be concurred in. After discussion, Senator Bohlinger made a **substitute motion** that consideration of **HB 440** be placed below HB 523 for purpose of amendment. Motion carried unanimously.

HB 491 - Senator Elliott moved **HB 491** be concurred in. Motion carried as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Halligan, Hargrove, Jergeson, Johnson, Keenan, Mahlum, McCarthy, McNutt, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Tash, Taylor, Tester, Thomas, Toole, Zook, Mr. President.
Total 41

Nays: Miller, Stapleton, Wells.
Total 3

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Absent or not voting: Kitzenberg.
Total 1

Excused: Franklin, Harrington, Holden, Stonington, Waterman.
Total 5

HB 498 - Senator Elliott moved **HB 498** be concurred in. Motion carried with Senator Taylor voting no.

Senator Halligan excused at this time.

HB 499 - Senator Cocchiarella moved **HB 499** be concurred in. Motion carried unanimously.

HB 517 - Senator Sprague moved consideration of **HB 517** be passed for the day. Motion carried.

HB 519 - Senator Cocchiarella moved **HB 519** be concurred in. Motion carried unanimously.

HB 523 - Senator Doherty moved **HB 523** be concurred in. Motion carried unanimously.

HB 440 - Senator Bohlinger moved consideration of **HB 440** be passed for the day. Motion carried.

HB 542 - Senator Ryan moved **HB 542** be concurred in. Motion carried unanimously.

HB 548 - Senator Ellingson moved **HB 548** be concurred in. Motion carried unanimously.

HB 551 - Senator Mahlum moved **HB 551** be concurred in. Motion carried unanimously.

HB 552 - Senator Ekegren moved **HB 552** be concurred in. Motion carried with Senators Jergeson and Stapleton voting nay.

HB 579 - Senator Roush moved **HB 579** be concurred in. Motion carried unanimously.

HJR 13 - Senator Cole moved **HJR 13** be concurred in. Motion carried unanimously.

HJR 18 - Senator Toole moved **HJR 18** be concurred in. Motion carried unanimously.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Beck in the chair. Senator Keenan moved that **HB 247** and **HB 491** be **segregated** from the Committee of the Whole Report. Motion carried. Chairman R. Johnson moved the remainder of 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:

SB 220 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren,

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Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, Pease, Roush, Ryan, Shea, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.

Total 42

Nays: O'Neil, Sprague.

Total 2

Paired: Holden, Aye; O'Neil, No.

Absent or not voting: Mohl.

Total 1

Excused: Franklin, Halligan, Harrington, Stonington, Waterman.

Total 5

SB 496 passed as follows:

Yeas: Berry, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Glaser, Grimes, Grosfield, Hargrove, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.

Total 36

Nays: Bishop, Elliott, Jergeson, Nelson, O'Neil, Tester, Toole.

Total 7

Absent or not voting: None.

Total 0

Excused: Franklin, Halligan, Harrington, Holden, Mohl, Stonington, Waterman.

Total 7

HB 29, Conference Committee Report No. 1, adopted as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.

Total 41

Nays: Christiaens, Miller.

Total 2

Absent or not voting: None.

Total 0

Excused: Franklin, Halligan, Harrington, Holden, Mohl, Stonington, Waterman.

Total 7

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HB 368, as amended by the Senate, concurred in as follows:

Yeas: Berry, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Jergeson, Kitzenberg, Mahlum, McCarthy, McNutt, Nelson, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.
Total 38

Nays: Bishop, Johnson, Keenan, Miller, O'Neil.
Total 5

Absent or not voting: None.
Total 0

Excused: Franklin, Halligan, Harrington, Holden, Mohl, Stonington, Waterman.
Total 7

HB 381, as amended by the Senate, concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.
Total 42

Nays: O'Neil.
Total 1

Absent or not voting: None.
Total 0

Excused: Franklin, Halligan, Harrington, Holden, Mohl, Stonington, Waterman.
Total 7

HB 387, as amended by the Senate, concurred in as follows:

Yeas: Berry, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.
Total 42

Nays: Bishop.
Total 1

Absent or not voting: None.
Total 0

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Excused: Franklin, Halligan, Harrington, Holden, Mohl, Stonington, Waterman.
Total 7

HB 582 concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.
Total 43

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Franklin, Halligan, Harrington, Holden, Mohl, Stonington, Waterman.
Total 7

MOTIONS

HB 247 - Senator Keenan moved that **HB 247** be taken from second reading and rereferred to the committee on Finance. Motion carried.

HB 491 - Senator Keenan moved that **HB 491** be taken from second reading and rereferred to the committee on Finance. Motion carried.

HB 440 - Senator Bohlinger moved consideration of **HB 440** be postponed until the sixth-third legislative day, March 20, 2001. Motion carried.

SR 16 - Senator Doherty moved consideration of **SR 16** on Special Orders of the Day be passed for the day due to the absence of the sponsor, Senator Franklin. Motion carried.

ANNOUNCEMENTS

Senator Berry acknowledged the Senate pages, gave a brief overview of their future plans, and thanked them for their work for the Senate through the week.

Committee meetings were announced by committee chairmen.

Majority Leader Thomas moved that the Senate adjourn until 11:30 a.m., Monday, March 19, 2001. Motion carried.

Senate adjourned at 12 noon.

ROSANA SKELTON
Secretary of Senate

TOM BECK
President of the Senate