

**SENATE JOURNAL
57TH LEGISLATURE
SEVENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 5, 2001

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Beck presiding. Invocation by Reverend Keith Johnson. Posting of the colors by the Helena Civil Air Patrol. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Christiaens, Elliott and Stonington, excused. Quorum present.

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

Miller, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 4/5/2001
Correctly printed: HB 8, HB 247, HB 447, HB 608, HB 650.
Correctly engrossed: HB 3, HB 4, HB 6, HB 248, HB 395, HB 632, HB 646.
Correctly enrolled: SB 128, SB 147, SB 226, SB 428, SB 479, SJR 18.
Signed by the Speaker at 10:15 a.m., April 5, 2001: SB 117, SB 144, SB 290, SB 321, SB 361, SB 482.
Signed by the Secretary of Senate at 3:30 p.m., April 5, 2001: SB 117, SB 144, SB 290, SB 321, SB 361, SB 482.
Examined by the sponsor and found to be correct: SB 128, SB 147, SB 226, SB 428, SB 479, SJR 18.

BUSINESS AND LABOR (Taylor, Chairman): 4/5/2001
HB 357, be amended as follows:

1. Page 2, line 17.
Strike: "Eighty"
Insert: "Twenty-five"

2. Page 2, line 20.
Strike: "Twenty"
Insert: "Seventy-five"

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

STATE ADMINISTRATION (Hargrove, Chairman): 4/5/2001
PRELIMINARY REPORT
SR 22, be adopted. Report adopted.
HJR 38, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 293**
Report No.1, April 5, 2001

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Mr. Speaker and Mr. President:

We, your Free Conference Committee on **House Bill 293**, met April 4, 2001, and considered:

1. Senate Committee of the Whole amendments to the second house , second reading copy, dated March 2, 2001; and
2. Senate Committee on State Administration amendments to the second house, second reading copy, dated March 15, 2001.

We recommend that **House Bill 293** (reference copy – salmon) be amended as follows:

1. Title, line 6.

Strike: "AND"

Insert: "13-16-503,"

2. Title, line 7.

Following: "~~13-16-507~~,"

Insert: "13-16-505, 13-16-506, AND 13-16-507,"

3. Page 1, line 21.

Strike: "AND"

Insert: "13-16-503,"

4. Page 1, line 22.

Following: "~~13-16-507~~,"

Insert: "13-16-505, 13-16-506, and 13-16-507,"

For the House:

Olson, Vice Chairman
Wolery
Harris

For the Senate:

Hargrove, Chairman
Ekegren
Franklin

MESSAGES FROM THE GOVERNOR

April 5, 2001

The Honorable Tom Beck
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Beck:

Please be informed that I have signed **Senate Bill 52** sponsored by Senator Roush, **Senate Bill 199** sponsored by Senator Taylor, **Senate Bill 259** sponsored by Senator Tester et al., and **Senate Bill 260** sponsored by Senator Mahlum

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

et al on April 5, 2001.

Sincerely,
JUDY MARTZ
Governor

April 3, 2001

The Honorable Dan McGee
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Tom Beck
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker McGee and President Beck:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments **House Bill 47**, "AN ACT GENERALLY REVISING THE LAWS GOVERNING STATE INVESTMENTS; REMOVING THE REQUIREMENT THAT STATE BANK EXAMINERS EXAMINE LOANS AND INVESTMENTS; INCREASING THE MAXIMUM LOAN FOR IN-STATE INVESTMENTS; REQUIRING COMMERCIAL LENDER PARTICIPATION FOR CERTAIN INVESTMENTS; ELIMINATING RESTRICTIONS ON MAXIMUM LOAN SIZES FOR PURPOSES OF JOB CREDIT INTEREST RATE REDUCTIONS; AMENDING SECTIONS 17-5-1529, 17-6-311, 17-6-312, 17-6-318, AND 17-6-321, MCA; AND PROVIDING AN EFFECTIVE DATE.", for the following reasons.

I am in full agreement with the objectives of HB 47 and with its specific measures. I recommend, however, the effective date of the statute be changed from July 1, 2001 to immediate. I have attached my amendment to that effect.

As you know, HB 47 expands the existing limitation on the size of investments made in any one business enterprise from the permanent coal tax trust fund from 1% to 10% of the permanent fund. As it presently stands, however, that expansion will not become effective until July 1, 2001.

In the interest of enhancing the effectiveness of this economic development measure, and to make it available as quickly as possible, I recommend that the bill be amended to provide for an immediate effective date.

Representative Price, the sponsor of the bill, is aware of and agrees with my recommendation.

Sincerely,
JUDY MARTZ
Governor

c: Legislative Services Division
Office of Budget Program and Planning
Department of Commerce

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

GOVERNOR'S AMENDMENTS TO HOUSE BILL NO. 47

(Reference Bill --2nd Reading, 2nd House [Tan])

Drafted by the Office of the Governor

April 5, 2001

1. Title, line 12

Following: "AN"

Insert: "IMMEDIATE"

2. Page 5, line 30

Following: "effective"

Strike: "July 1, 2001"

Insert: "upon passage and approval"

April 4, 2001

The Honorable Tom Beck
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Beck:

Attached is our third and final list of board appointments not yet confirmed by the Montana Legislature. We have supplied the following information for each member:

Board Name
Member Name
Member Address and Phone Numbers
Brief Member Biography
Position Requirement

If I or my staff can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,
JUDY MARTZ
Governor

SENATE CONFIRMATION REPORT

Report 3 - 2001

Board of Athletics

MCA 2-15-1882

Gary Langley

Appt: 03/27/01

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

2860 Village Rd
Helena, MT 59602
HPH: 227-7561
BPH: 227-7561

Term: 04/25/04
Qual: Public Member

Gary is the owner and publisher of Hometown Magazine, the Executive Director for the Foundation for Resource Education, and the owner of Montana Communicators. This is Gary's fourth term on the board. He was a former amateur boxer, trainer, promoter and official and was the executive secretary of the North American Boxing Federation and secretary for the National Assn of Boxing Commissioners. He was also on the Board of Governors as a supervisor for the World Boxing Union.

Board of Dentistry

MCA 2-15-1842

Dr. James Johnson
2370 Ave C
Billings, MT 59102
HPH: 656-3175
BPH: 652-2720

Appt: 03/29/01
Term: 03/29/06
Qual: Dentist

Dr. Johnson received his Doctor of Dental Surgery Degree in 1968 from the University of Minnesota School of Dentistry. In 1970 he opened his solo general dental office in Billings. Dr. Johnson is very active in organized dentistry and has donated countless hours to volunteer overseas medical/dental programs and the Migrant/Local Indigent Care Children's Program.

Jean Hagan
P.O. Box 2080
Bigfork, MT 59911
HPH: 837-5749
BPH: 837-5749

Appt: 03/29/01
Term: 03/29/06
Qual: Public Member

Jean earned a Masters of Education Degree in 1978 from Montana State University. Her career in education lasted over thirty years up to her retirement in 1995 as the Superintendent of Schools in Hamilton. Jean has been actively involved in various community activities and previously served on the Montana State Board of Personnel Appeals.

Hail Insurance Board

MCA 2-15-3003

Keith Arntzen
41 Arntzen Lane
Hilger, MT 59451
HPH: 462-5557
BPH: 462-5557

Appt: 04/18/01
Term: 04/18/04
Qual: Public Member

Keith has been farming and ranching in Montana since 1970. He has been a member of the Fergus Co. Farm Bureau, the Montana Grain Growers, the Montana Stockgrowers, the Montana Angus Assn. and the Winifred School Board. He has been a state hail insurance client for many years. Keith brings a great deal of experience and expertise to the Board.

Health Facility Authority

MCA 2-15-1815

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Joyce Asay	Appt: 03/16/01
P.O. Box 268	Term: 01/01/05
Forsyth, MT 59327	Qual: Public Member
HPH: 356-2394	
BPH: 356-2394	

Joyce is a former rural health facility administrator from Forsyth and therefore provides valuable expertise to the board. She is currently a health facility financial consultant.

Gayle Carpenter	Appt: 03/16/01
1611 Karmen Road	Term: 01/01/05
Helena, MT 59601	Qual: Public Member
HPH: 443-0147	
BPH: 442-1911	

Gayle's contributions to the board through her position as executive secretary for the Montana Hospital Association has provided invaluable insight as it relates to the changes in Montana's health care industry.

Lee Jockers	Appt: 03/16/01
6016 Sam Sneed Trail	Term: 01/01/05
Billings, MT 59106	Qual: Public Member
HPH: 656-5268	
BPH: 656-5268	

Lee holds a Bachelor of Science degree from the University of Arizona. He is recently retired as Senior Vice President from U.S. Bank, Billings. Lee has served on boards primarily in the area of health care services.

Kelley Evans	Appt: 03/16/01
P.O. Box 590	Term: 01/01/05
Red Lodge, MT 59068	Qual: Public Member
HPH: 446-2141	
BPH: 446-2345	

Kelley received her Associate Degree as a Registered Nurse from Northern Montana College in Havre in 1978. She has been involved in various health care facilities since that time. Currently, Kelley is the Administrator of Beartooth Hospital and Health Center and oversees all aspects of the hospital, nursing home, home health and all other facility based programs.

Human Rights Commission

MCA 2-15-1706

Evelyn Stevenson	Appt: 03/22/01
Box 345	Term: 01/01/05
Pablo, MT 59855	Qual: Public Member/Attorney
HPH: 887-2746	
BPH: 675-2700	

Evelyn is an attorney for the Confederate Salish and Kootenai Tribes. She is a 1977 graduate of Golden State University in San Francisco with a doctorate in law and with undergraduate degrees in business administration and

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

social anthropology. She is an enrolled member of the Confederate Salish and Kootenai Tribes, a member of the American Civil Liberties Union, American Trial Lawyers Assn and Native American Rights Fund.

Gary Hindoien	Appt: 03/22/01
26 Hidden Valley Loop	Term: 01/01/05
Clancy, MT 59634	Qual: Public Member/Chairman
HPH: 933-5732	
BPH: 933-5732	

Gary is a retired Brigadier General USAF (ANG). He has been extensively involved in the investigation and resolution of discrimination claims for the past ten years. BG Hindoien is very well versed in the current laws pertaining to discrimination and has extensive knowledge in civil right matters.

Arleah Shechtman	Appt: 03/22/01
100 Deer Run	Term: 01/01/05
Kalispell, MT 59901	Qual: Public Member
HPH: 257-9270	
BPH: 257-9270	

Arleah has been involved in the field of therapy for over twenty years. She is involved in the Kalispell community and is looking forward to using her unique talents and skills to benefit the board in making equitable and fair decisions.

Board of Livestock

MCA 2-15-3102

Lee Cornwell	Appt: 03/02/01
HCR 271-2183	Term: 03/01/07
Glasgow, MT 59230	Qual: Cattle producer
HPH: 367-5218	
BPH: 367-5218	

Lee is a graduate of Glasgow High School and Montana State University with a degree in Agriculture Production. He serves on the Animal Health Committee of the Montana Stockgrowers Association and is a member of the National Cattlemen's Beef Association and the Valley County Livestock Association. Lee has served on the Board of Montana Livestock AG Credit, Inc. since 1998.

John Paugh	Appt: 03/02/01
525 Coulee Dr.	Term: 03/01/07
Bozeman, MT 59718	Qual: Sheep producer
HPH: 585-9356	
BPH: 585-9356	

John has been in the livestock business in Montana his entire life. He is active in the Montana Stockgrowers Association, Montana Wool Growers Association, and the Farm Bureau. He has served on local and state committees for these groups and the national committee with the American Sheep Industry Association.

Board of Oil and Gas Conservation

MCA 2-15-3303

Jerry Kennedy	Appt: 03/15/01
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SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Box 562
Shelby, MT 59474
HPH: 434-2760
BPH: 434-5124

Term: 01/01/05
Qual: Representative of oil/gas industry

Jerry has worked in and around the oil field for the majority of his working career. At present, he and his partner own and operate J&G operating and Kipling Energy in Toole and Glacier Counties. Over the past 25 years he has operated state, fee, federal and tribal leases and a state-controlled unit.

Gary Willis
236 Greenwood Dr.
Helena, MT 59601
HPH: 449-6494
BPH: 449-4130

Appt: 03/15/01
Term: 01/01/05
Qual: Public Member

Gary has worked for the Montana Power Company for over 27 years with his background being in the marketing of natural gas to the consumer. He is a mineral and royalty owner of lands situated in eight Montana counties. Gary is very familiar with the intricacies of both oil and gas production facilities and processing from the wellhead through the pipeline or refinery to the customer.

Allen Kolstad
Box 648
Chester, MT 59522
HPH: 627-2211

Appt: 03/15/01
Term: 01/01/05
Qual: Landowner with mineral rights

Allen is a former State Senator and Lieutenant Governor of Montana. He currently farms in the Chester area and is a landowner with mineral rights.

David Ballard
845 12th St. W.
Billings, MT 59104
HPH: 652-2860
BPH: 258-8790

Appt: 03/15/01
Term: 01/01/05
Qual: Representative of oil-gas industry/Chairman

David has a Bachelor of Science degree in Geology and a Master of Science in Geophysics from the Univ. of Oklahoma. He is Vice-President and partner of Ballard and Associates, a company that owns and operates oil and gas producing properties. He has over 17 years experience as a practicing geophysicist and geologist in petroleum exploration. His company operates fields in the northwest and central portions of Montana.

Board of Optometry

MCA 2-15-1846

Dr. Cynthia Johnson
102 S. 11th St.
Bozeman, MT 59715
HPH: 587-6298
BPH: 587-0668

Appt: 03/30/01
Term: 04/03/05
Qual: Optometrist

Dr. Johnson is an optometrist and is affiliated with Advanced EyeCare Associates in Bozeman. She is a graduate

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

of the University of Montana and Southern California College of Optometry. This is her third term on this board.

Board of Public Education

MCA 2-15-1508

John Fuller
1369 KM Ranch Road
Whitefish, MT 59937
HPH: 257-6101
BPH: 751-3574

Appt: 03/14/01
Term: 02/02/08
Qual: Republican/District 1 representative

John holds a Masters of Education from National Louis University in Evanston, Il. He has over thirty years involvement in public education as a teacher, parent and public servant. John's background includes wide exposure to public education facilities in other states and countries.

Joyce Silverthorne
P.O. Box 149
Dixon, MT 59831
HPH: 246-3224
BPH: 675-2700

Appt: 03/14/01
Term: 02/01/04
Qual: Democrat/District 1 representative

Joyce is currently a member of the board and has been appointed to fill the unexpired term of Secretary of State Bob Brown. During her tenure, she has promoted stronger goals for the Board of Public Education, accountability to the students of the state and collaborative effort with the Board of Regents and higher education community. She will continue to be a strong supporter of the role of families in education.

Transportation Commission

MCA 2-15-2502

Meredith Reiter
1780 Sylvan Lane
Billings, MT 59105
HPH: 245-7474
BPH: 245-7474

Appt: 03/19/01
Term: 01/01/05
Qual: District 5 /Republican/Knowledge of Indian culture and transportation needs

Meredith has been involved in the construction industry in Montana for the majority of his working career. He began working for Empire Sand and Gravel in Billings in 1955 and in 2000 retired as president and owner of the company. He has been a board member and President of the Montana Contractors Association and a labor negotiator and liaison committee representative to the Montana Department of Transportation. He has worked with Tribal leaders and members on various highway construction projects and is familiar with Indian culture and their transportation needs.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

4/4/2001

SB 313, introduced by F. Thomas
SB 340, introduced by Berry
SB 358, introduced by DePratu
SB 360, introduced by Waterman

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

SB 373, introduced by Halligan
SB 438, introduced by Christiaens

Senate joint resolution concurred in and returned to the Senate: 4/4/2001

SJR 13, introduced by Crismore

Conference committee report #1 adopted: 4/4/2001

HB 29, introduced by Noennig

MOTIONS

HB 8 - Senator Tester moved that consideration of **HB 8** be passed for the day so it could be considered with HB 6. Motion carried unanimously.

SB 185, House Amendments - Senator Cobb moved that the Senate reconsider its action in accepting **SB 185, as amended by the House**, on third reading the previous legislative day. Motion carried.

SB 185, House Amendments - Senator Cobb moved that **SB 185, House Amendments** be placed on the top of the third reading this legislative day. Motion carried.

HB 646 - Senator Cole moved that **HB 646** be taken from second reading this legislative day, and rereferred to the committee on Energy and Telecommunications. Motion carried.

SB 151 - Majority Leader Thomas moved that the Conference Committee on **SB 151** be **dissolved** and that the President be authorized to appoint a **Free Conference Committee** of the same members and request the House to appoint a like committee to confer on **SB 151**. Motion carried. The President appointed the following members:

Senator Mahlum, Chairman
Senator Berry
Senator Jergeson

SB 185, House Amendments - Senator Cobb moved that **SB 185, House Amendments**, be taken from third reading and placed at the top of the second reading board this day. Motion carried.

Senator Elliott present at this time.

Majority Leader Thomas moved that the **rules** of the Senate be **suspended** to allow late drafting and introduction of a resolution from the House concerning power from Montana going to California. Motion carried as follows:

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

Total 46

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens, Franklin, Stonington, Tester.
Total 4

HB 216 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee** to meet with a like committee from the House to confer on Senate Amendments to **HB 216**. Motion carried. The President appointed the following members:

Senator Holden, Chairman
Senator Stapleton
Senator Harrington

HB 266 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee** to meet with a like committee from the House to confer on Senate Amendments to **HB 266**. Motion carried. The President appointed the following members:

Senator Miller, Chairman
Senator Kitzenberg
Senator Stonington

SB 283 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 283**. Motion carried. The President appointed the following members:

Senator Grimes, Chairman
Senator Wells
Senator Waterman

SB 320 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 320**. Motion carried. The President appointed the following members:

Senator DePratu, Chairman
Senator Kitzenberg
Senator Toole

SB 327 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 327**. Motion carried. The President appointed the following members:

Senator Taylor, Chairman
Senator Stapleton
Senator Doherty

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

SB 348 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 348**. Motion carried. The President appointed the following members:

Senator Berry, Chairman
Senator DePratu
Senator Elliott

SB 390 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 390**. Motion carried. The President appointed the following members:

Senator Glaser, Chairman
Senator Cobb
Senator McCarthy

SB 423 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 423**. Motion carried. The President appointed the following members:

Senator Wells, Chairman
Senator Ellis
Senator Ryan

SB 427 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 427**. Motion carried. The President appointed the following members:

Senator Mahlum, Chairman
Senator Johnson
Senator Christiaens

SB 429 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 429**. Motion carried. The President appointed the following members:

Senator Miller, Chairman
Senator Sprague
Senator Tester

SB 432 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 432**. Motion carried. The President appointed the following members:

Senator Stapleton, Chairman
Senator Taylor
Senator Harrington

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

SB 437 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 437**. Motion carried. The President appointed the following members:

Senator Ekegren, Chairman
Senator Cole
Senator Shea

SB 441 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 441**. Motion carried. The President appointed the following members:

Senator Taylor, Chairman
Senator Mohl
Senator Christiaens

SB 457 - Majority Leader Thomas moved that the President be authorized to appoint a **Conference Committee**, and request the House to appoint a like committee to confer on House Amendments to **SB 457**. Motion carried. The President appointed the following members:

Senator Glaser, Chairman
Senator Stapleton
Senator Ryan

FIRST READING AND COMMITMENT OF BILLS

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

SJR 20, introduced by Ellingson, Beck, Berry, Bohlinger, Butcher, Buzzas, Callahan, Carney, Christiaens, Clancy, P. Clark, Cobb, Cocchiarella, Crismore, Cyr, Davies, Doherty, Ekegren, Elliott, Franklin, Grosfield, Gutsche, Haines, Halligan, Harrington, Jayne, Jergeson, Kaufmann, Kitzenberg, Lindeen, McCarthy, Mohl, Nelson, Newman, Pattison, Pease, Roush, Shea, Stonington, Tester, F. Thomas, Toole, J. Tropila, Waterman, referred to Business and Labor.

**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 Cocchiarella in the chair.

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

SB 185 - House Amendments - Senator Cobb moved House amendments to **SB 185** be **not** concurred in. Motion carried unanimously.

SB 396 - House Amendments - Senator Grosfield moved House amendments to **SB 396** be concurred in. Motion

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

carried as follows:

Yeas: Berry, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Ekegren, Ellis, Grimes, Grosfield, Hargrove, Holden, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Roush, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Waterman, Wells, Zook, Mr. President.
Total 32

Nays: Bishop, Bohlinger, Doherty, Ellingson, Elliott, Franklin, Glaser, Halligan, Harrington, Jergeson, Keenan, Nelson, O'Neil, Pease, Ryan, Toole.
Total 16

Absent or not voting: None.
Total 0

Excused: Christiaens, Stonington.
Total 2

SB 466 - House Amendments - Senator Waterman moved House amendments to **SB 466** be concurred in. Motion carried with Senator Franklin voting nay.

Senator Stonington present at this time.

SB 469 - House Amendments - Senator DePratu moved House amendments to **SB 469** be concurred in. Motion carried unanimously.

SB 473 - House Amendments - Senator Waterman moved House amendments to **SB 473** be concurred in. Motion carried unanimously.

SB 474 - House Amendments - Senator Grimes moved House amendments to **SB 474** be **not** concurred in. After discussion, President Beck made a **substitute motion** that House amendments to **SB 474** be concurred in. Motion carried as follows:

Yeas: Bishop, Bohlinger, Cobb, Cocchiarella, Cole, Crismore, Doherty, Ekegren, Ellingson, Elliott, Franklin, Grosfield, Halligan, Harrington, Holden, Jergeson, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Sprague, Tash, Tester, Thomas, Toole, Waterman, Zook, Mr. President.
Total 36

Nays: Berry, Butcher, DePratu, Ellis, Glaser, Grimes, Hargrove, Keenan, Shea, Stapleton, Stonington, Taylor, Wells.
Total 13

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

SB 476 - House Amendments - Senator Keenan moved House amendments to **SB 476** be concurred in. Motion carried unanimously.

SB 477 - House Amendments - Senator Jergeson moved House amendments to **SB 477** be concurred in. Motion carried unanimously.

SB 491 - House Amendments - Senator Taylor moved House amendments to **SB 491** be concurred in. Motion carried unanimously.

SJR 2 - House Amendments - Senator Waterman moved House amendments to **SJR 2** be concurred in. Motion carried unanimously.

SJR 10 - House Amendments - Senator Kitzenberg moved House amendments to **SJR 10** be concurred in. Motion carried unanimously.

SJR 12 - House Amendments - Senator Beck moved House amendments to **SJR 12** be concurred in. Motion carried unanimously.

Senator Thomas moved that the committee stand in recess until the hour of 2:45 p.m. this day. Motion carried.

Senate recessed at 2:21 p.m.

Senate reconvened at 2:45 p.m.

Roll Call: All members present except Senator Christiaens, excused. Quorum present.

HB 632 - Senator Beck moved **HB 632**, second reading copy, be amended as follows :

1. Page 12, line 27.

Following: "₂"

Insert: "In order to be eligible for a lifeline rate, a large customer shall demonstrate to the commission that the customer earned no more than an 8% return on equity on the customer's Montana operation in the previous 12 months."

Amendment **adopted** with Senator K. Miller voting nay.

HB 632 - Senator F. Thomas moved **HB 632**, second reading copy, be further amended as follows :

1. Title, lines 7 and 8.

Following: ";" on line 7

Strike: remainder of line 7 through "₂" on line 8

2. Title, line 15.

Following: "69-8-103,"

Insert: "69-8-201,"

3. Page 8, line 7.

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Insert: "Section 2. Section 69-8-201, MCA, is amended to read:

"69-8-201. Public utility -- transition to customer choice -- waiver. (1) A public utility shall, except as provided in this section, adhere to the following deadlines:

(a) ~~On~~ Subject to subsection (6), on or before July 1, 1998, all customers with individual loads greater than 1,000 kilowatts and for loads of the same customer with individual loads at a meter greater than 300 kilowatts that aggregate to 1,000 kilowatts or greater must have the opportunity to choose an electricity supplier.

(b) Subject to subsection (2), and as soon as is administratively feasible but before July 1, 2002, all other public utility customers must have the opportunity to choose an electricity supplier.

(2) (a) Except as provided for in subsection (4), the commission may determine that additional time is necessary for customers identified in subsection (1)(b); however, the implementation of full customer choice may not be delayed beyond July 1, 2004.

(b) A determination by the commission that additional time is necessary for subsection (1)(b) customers must be made at least 60 days in advance of the scheduled date and must be based on one or more of the following considerations:

(i) implementation would not be administratively feasible;
(ii) implementation would materially affect the reliability of the electric system; or
(iii) Montana customers or electricity suppliers would be disadvantaged due to lack of a competitive electricity supply market.

(3) The commission shall designate the public utility or one or more default suppliers to provide regulated default service for those small customers of a public utility that are not being served by a competitive electricity supplier and those customers who elect to receive service from the default supplier. ~~The transition advisory committee shall review and address the need for continued default supply service and make recommendation to the 57th legislature.~~

(4) Except as provided in 69-5-101, 69-5-102, 69-5-104 through 69-5-112, and 69-8-402, a public utility currently doing business in Montana as part of a single integrated multistate operation, no portion of which lies within the basin of the Columbia River, may:

(a) defer compliance with this chapter until a time that the public utility can reasonably implement customer choice in the state of the public utility's primary service territory, except that the public utility shall file a transition plan pursuant to 69-8-202 to provide transition to customer choice on or before July 1, 2002, and must have completed the transition period to customer choice by July 1, 2006; and

(b) petition the commission to delay the public utility's transition plan filing until July 1, 2004.

(5) Upon a request from a public utility with fewer than 50 customers, the commission shall waive compliance with the requirements of 69-8-104, 69-8-202 through 69-8-204, 69-8-208 through 69-8-211, 69-8-402, and this section.

(6) A customer who chose an electricity supplier prior to July 1, 2001, may make an election prior to October 1, 2001, to receive the customer's electricity from the default supplier. A customer who chose an electricity supplier prior to July 1, 2001, and who chooses to receive the customer's electricity from the default supplier pursuant to this subsection is bound by the election and may not again elect to choose an electricity supplier other than the default supplier."

Renumber: subsequent sections

4. Page 11, lines 22 through 24.

Following: "1997:" on line 22

Strike: remainder of line 22 through "INTEREST" on line 24

Amendment **adopted** with Senators R. Johnson and O'Neil voting nay.

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

HB 632 - Senator Ryan moved **HB 632**, second reading copy, be further amended as follows :

1. Page 9.

Following: line 9

Insert: "(6) A public utility shall offer its customers an opportunity to purchase a separately marketed product composed of power from renewable resources. This product may be priced differently from the standard electricity product authorized in this section. For the purposes of this section, "renewable resources" means wind, solar, or geothermal resources."

Amendment **adopted** with Senator R. Johnson voting nay.

HB 632 - Senator Beck moved **HB 632**, second reading copy, be further amended as follows :

1. Title, page 1, line 5 through line 6.

Strike: "PROVIDING" on line 5 through "RATES;"

2. Title, page 1, line 7 through line 8.

Strike: "ALLOWING" on line 7 through "INTEREST;" on line 8

3. Title, page 1, line 14.

Strike: "15-31-113,"

4. Title, page 1, line 16.

Following: the first "DATE"

Strike: ", A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE"

5. Page 2, line 8 through page 3, line 6.

Strike: section 1 in its entirety

Renumber: subsequent sections

6. Page 11, line 22 through line 24.

Following: "1997:"

Strike: "1" on line 22 through "INTEREST" on line 24

7. Page 15, line 3 through line 6.

Strike: sections 7 and 8 in their entirety

Senator Beck **withdrew amendments No. 2 and No. 6** of the amendment.

Amendment Nos. 1, 3, 4, 5 and 7 adopted unanimously.

HB 632 - Senator Ellis moved **HB 632**, second reading copy, be further amended as follows :

1. Title, page 1, line 14.

Strike: "UNDER SECTION 69-8-201(1)(A)"

Insert: "WHO HAVE CHOSEN AN ELECTRICITY SUPPLIER UNDER TITLE 69, CHAPTER 8"

2. Page 5, line 2.

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Strike: "UNDER 69-8-201(1)(A)"

Insert: "who have chosen an electricity supplier under Title 69, chapter 8,"

3. Page 12, line 25.

Strike: "UNDER 69-8-201(1)(A)"

Insert: "who have chosen an electricity supplier under Title 69, chapter 8,"

4. Page 12, lines 29 and 30.

Strike: "UNDER" on line 29 through "69-8-201(1)(A)" on line 30

Insert: "who have chosen an electricity supplier under Title 69, chapter 8,"

5. Page 13, line 3.

Strike: "UNDER 69-8-201(1)(A)"

Insert: "who have chosen an electricity supplier under Title 69, chapter 8,"

Amendment **adopted** unanimously.

HB 632 - Senator Halligan moved **HB 632**, second reading copy, be further amended as follows :

1. Page 9.

Following: line 9

Insert: "(6) During the transition period, the public utility shall offer its customers an opportunity to purchase a separately marketed product composed of power from renewable resources. This product may be priced differently from the standard electricity product authorized in this section. For the purposes of this section, "renewable resources" means wind, solar, biomass, or geothermal resources."

2. Page 14.

Following: line 29

Insert: "NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

Senator Halligan **withdrew amendment No. 1** of the amendment.

Amendment **No. 2 adopted** unanimously.

HB 632 - Senator Doherty moved **HB 632**, second reading copy, be further amended as follows :

1. Title, page 1, line 5.

Following: "LAWS"

Insert: "AND REREGULATING PARTS OF THE ELECTRICAL GENERATING INDUSTRY"

2. Page 1, line 18.

Following: "WHICH"

Insert: "deregulated Montana's stable electrical rates and"

3. Page 1, line 19 through line 20.

Following: "CHOICE" on line 19

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Strike: " " on line 19 through "REGULATION" on line 20

4. Page 1, line 22.

Following: "PRICES"

Insert: "for deregulated large industrial customers in Montana and"

5. Page 1, line 27.

Following: "390"

Insert: ", which deregulated Montana's stable electrical rates,"

6. Page 2, line 1.

Following: "IMMEDIATELY"

Insert: "reregulate parts of the electrical generating industry and"

7. Page 5, line 4.

Strike: "ESTABLISHES"

Insert: "reregulates by establishing"

8. Page 8, line 10.

Following: "retains"

Insert: "regulatory"

9. Page 8, line 12.

Strike: "set"

Insert: "reregulate by setting"

10. Page 8, line 16.

Strike: "establish"

Insert: "reregulate by establishing"

11. Page 10, line 7.

Following: "customers"

Insert: "as a regulated entity"

12. Page 12, line 12.

Following: "provide"

Insert: "regulated rates that are"

Following: "reasonable"

Strike: "rates"

13. Page 12, line 24.

Following: "TEMPORARY"

Insert: "regulated"

14. Page 12, line 27.

Following: "THE"

Insert: "regulated"

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

15. Page 13, line 5.

Following: "establishing"

Insert: "regulated"

16. Page 13, line 8.

Following: "set"

Insert: "regulated"

17. Page 13, line 26.

Following: "A"

Insert: "regulated"

Amendment **failed** as follows:

Yeas: Bohlinger, Cobb, Cocchiarella, Doherty, Ellingson, Elliott, Franklin, Halligan, Harrington, Jergeson, McCarthy, Nelson, Pease, Roush, Ryan, Shea, Stonington, Tester, Toole, Waterman.

Total 20

Nays: Berry, Bishop, Butcher, Cole, Crismore, DePratu, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Johnson, Keenan, Kitzenberg, Mahlum, McNutt, Miller, Mohl, O'Neil, Sprague, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.

Total 29

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

HB 632 - Senator Beck moved **HB 632**, as amended, be concurred in. Motion carried as follows:

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

Total 47

Nays: Ellingson, Miller.

Total 2

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Beck in the chair. Chairman Cocchiarella moved the Committee of the Whole report be adopted. Report

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

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 245, as amended by the House, passed as follows:

Yeas: Berry, Bohlinger, Butcher, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Johnson, Keenan, Kitzenberg, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Roush, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Wells, Zook, Mr. President.
Total 39

Nays: Bishop, Cobb, Ellingson, Elliott, Jergeson, McCarthy, Pease, Ryan, Toole, Waterman.
Total 10

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 288, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 293, as amended by the House, passed as follows:

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

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 298, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 48

Nays: Miller.
Total 1

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 304, as amended by the House, passed as follows:

Yeas: Berry, Bohlinger, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 47

Nays: Bishop, Butcher.
Total 2

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 309, as amended by the House, passed as follows:

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Yeas: Berry, Bishop, Bohlinger, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 48

Nays: Butcher.
Total 1

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 310, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 318, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Excused: Christiaens.
Total 1

SB 319, as amended by the House, passed as follows:

Yeas: Berry, Bohlinger, Butcher, Cobb, Cole, Crismore, DePratu, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Shea, Sprague, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.
Total 35

Nays: Bishop, Cocchiarella, Doherty, Ellingson, Elliott, Franklin, Halligan, Harrington, Jergeson, Ryan, Stonington, Tester, Toole, Waterman.
Total 14

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 330, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 339, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 48

Nays: Keenan.
Total 1

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 356, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 359, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grosfield, Halligan, Hargrove, Harrington, Jergeson, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Zook, Mr. President.
Total 44

Nays: Grimes, Holden, Keenan, O'Neil, Wells.
Total 5

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 377, as amended by the House, passed as follows:

Yeas: Berry, Butcher, Cobb, Cole, Crismore, DePratu, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Kitzenberg, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Shea, Sprague, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.
Total 29

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Nays: Bishop, Bohlinger, Christiaens, Cocchiarella, Doherty, Ellingson, Elliott, Franklin, Halligan, Harrington, Jergeson, Johnson, Keenan, McCarthy, Pease, Roush, Ryan, Stonington, Tester, Toole, Waterman.
Total 21

Paired: Grosfield, Aye; Christiaens, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 378, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 426, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Total 1

SB 431, as amended by the House, passed as follows:

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

SB 433, as amended by the House, passed as follows:

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

SB 436, as amended by the House, passed as follows:

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

Total 49

Nays: None.

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Total 0

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

SB 442, as amended by the House, passed as follows:

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

SB 443, as amended by the House, passed as follows:

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Christiaens.

Total 1

SB 448, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Jergeson, Johnson,

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

Kitzenberg, Mahlum, McCarthy, McNutt, Mohl, Nelson, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 45

Nays: Holden, Keenan, Miller, O'Neil.
Total 4

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 449, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 450, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SENATE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 5, 2001

SB 455, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

SB 465, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Christiaens.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Friday, April 6, 2001. Motion carried.

Senate adjourned at 4:25 p.m.

ROSANA SKELTON
Secretary of Senate

TOM BECK
President of the Senate