

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

Helena, Montana
March 21, 2001

Senate Chambers
State Capitol

Senate convened at 12:30 p.m. President Beck presiding. Invocation by Reverend Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senators Mahlum and Waterman, excused. Quorum present.

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

Miller, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 3/21/2001

Correctly printed: SB 493, SB 507, SB 508, SB 509, SB 510, HB 477, HB 537, HJR 21.

Correctly engrossed: SB 339, SB 495, SB 500, SR 19, HB 33, HB 41, HB 87, HB 186, HB 440, HB 473.

Correctly enrolled: SB 168.

Signed by the Secretary of Senate at 1:30 p.m., March 21, 2001: SB 20, SB 53, SB 55, SB 91, SB 165, SB 209, SB 234, SB 252, SB 269.

Signed by the President at 2:00 p.m., March 21, 2001: SB 8, SB 33, SB 52, SB 74, SB 164, SB 166, SB 194, SB 199, SB 228, SB 257, SB 268, SB 370, SR 16.

Signed by the Secretary of Senate at 3:40 p.m., March 21, 2001: SR 16.

Delivered to the Governor for approval at 3:15 p.m., March 21, 2001: SB 20, SB 53, SB 55, SB 91, SB 161, SB 165, SB 209, SB 234, SB 252, SB 269.

Delivered to the Secretary of State at 3:43 p.m., March 21, 2001: SR 16.

BUSINESS AND LABOR (Taylor, Chairman): 3/21/2001

HB 504, be concurred in. Report adopted.

HB 539, be amended as follows:

1. Page 6, line 28.

Following: "(f)"

Insert: "(i)"

2. Page 7, line 1.

Following: ";"

Insert: "and"

3. Page 7, following line 1.

Insert: "(ii) the borrower shall deliver the titled personal property to the title lender in substantially the same condition that it was in at the time that the borrower entered into the loan, minus normal wear and tear;"

4. Page 7, following line 10.

Insert: "(3) The security interest provided for in subsection (2)(a) is not perfected unless it is filed in accordance with 23-2-611 or 61-3-103."

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Renumber: subsequent subsection

5. Page 7, line 19.

Strike: "\$1,000"

Insert: "\$2,000"

6. Page 7, line 20.

Strike: "\$1,000"

Insert: "\$2,000"

7. Page 7, line 22.

Strike: "annual"

8. Page 8, line 25.

Strike: subsection (8) in its entirety

Renumber: subsequent subsections

9. Page 11, line 12.

Strike: "(a)"

10. Page 11, lines 15 and 16.

Strike: subsection (b) in its entirety

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

FISH AND GAME (Sprague, Chairman):

3/21/2001

HB 306, be amended as follows:

1. Title, line 16 through line 18.

Strike: "ESTABLISHING" on line 16 through "DAY;" on line 18

2. Page 4, line 1 through line 3.

Strike: line 1 through line 3 in their entirety

3. Page 9.

Following: line 25

Insert: "(7) The holder of a resident landowner-sponsored license issued to a relative under subsection (1)(b) may hunt only under the authority of the license while physically accompanied by the licensed Montana resident hunter who sponsored the license holder. "

Renumber: subsequent subsections

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

HB 554, be amended as follows:

1. Title, line 8.

Following: "87-2-510,"

Insert: "AND"

Strike: "AND 87-2-704,"

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

2. Page 7, line 16.

Strike: "\$1,000"

Insert: "\$750"

3. Page 7, line 17.

Strike: "\$1,000"

Insert: "\$750"

4. Page 7, line 18.

Strike: "\$1,000"

Insert: "\$750"

5. Page 8, line 13 through line 30.

Strike: section 9 in its entirety

Renumber: subsequent section

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

HB 569, be amended as follows:

1. Page 1, line 24.

Following: "request."

Insert: "This subsection (2) does not apply to an outfitter newly licensed after [the effective date of this act]."

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

HIGHWAYS AND TRANSPORTATION (Mohl, Chairman):

3/21/2001

HB 401, be amended as follows:

1. Title, lines 7 and 8.

Strike: the second "AND" on line 7

Following: "OFFENSES" on line 8

Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 5.

Following: line 22

Insert: "NEW SECTION. Section 8. Termination. [This act] terminates April 30, 2003."

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

HB 442, be amended as follows:

1. Page 1, line 22.

Strike: "less"

Insert: "more"

Strike: "minimum"

Insert: "maximum"

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

2. Page 1, line 23.
Strike: "minimum"
Insert: "maximum"

3. Page 1, line 27.
Strike: "less"
Insert: "more"
Strike: "\$1,000"
Insert: "\$500"

4. Page 2, line 7.
Strike: "minimum"
Insert: "maximum"

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

HB 529, be concurred in. Report adopted.
HJR 23, be concurred in. Report adopted.

JUDICIARY (Grosfield, Chairman): 3/21/2001
HB 109, be concurred in. Report adopted.

TAXATION (DePratu, Chairman): 3/21/2001
HB 609, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 3/20/2001

HB 11, introduced by Kasten
HB 57, introduced by R. Erickson
HB 273, introduced by R. Erickson
HB 324, introduced by Mangan
HB 395, introduced by B. Thomas
HB 456, introduced by Gutsche
HB 572, introduced by Bales
HB 613, introduced by Vick

MOTIONS

SB 79 - Senator Harrington moved that **SB 79** be taken from the committee on Education and Cultural Resources, printed and placed on second reading the next legislative day. Motion **failed** as follows:

Yeas: Bishop, Christiaens, Cobb, Cocchiarella, Crismore, Doherty, Ekegren, Ellingson, Elliott, Franklin, Halligan, Harrington, Jergeson, Kitzenberg, McCarthy, Nelson, Pease, Roush, Ryan, Shea, Stonington, Tester, Toole, Waterman.

Total 24

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Nays: Berry, Bohlinger, Butcher, Cole, DePratu, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Johnson, Keenan, McNutt, Miller, Mohl, O'Neil, Sprague, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.
Total 25

Paired: Waterman, Aye; Cole, No.

Absent or not voting: None.
Total 0

Excused: Mahlum.
Total 1

FIRST READING AND COMMITMENT OF BILLS

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

SB 511, introduced by F. Thomas, DePratu, referred to Taxation.

SB 512, introduced by Halligan, Beck, referred to Energy and Telecommunications.

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

HB 11, introduced by Kasten (by request of the Department of Commerce and the Office of Budget and Program Planning), referred to Finance.

HB 57, introduced by R. Erickson (by request of the Revenue and Taxation Interim Committee), referred to Taxation.

HB 273, introduced by R. Erickson, Bishop, Bohlinger, Buzzas, Christiaens, Fritz, Galvin-Halcro, Gutsche, Halligan, Kaufmann, Wanzenried, Waterman, referred to Finance.

HB 324, introduced by Mangan, Andersen, Bixby, Buzzas, Carney, Christiaens, Dell, Gallik, Gallus, Galvin-Halcro, Harris, Jacobson, Lee, Lehman, Lenhart, Lindeen, Masolo, Musgrove, Raser, Smith, Waddill, Whitaker, referred to Public Health, Welfare and Safety.

HB 395, introduced by B. Thomas, Berry, Bohlinger, R. Brown, Callahan, Christiaens, Clancy, E. Clark, Cobb, Cocchiarella, Cole, Curtiss, Doherty, Ekegren, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Golie, Gutsche, Haines, Halligan, L. Holden, Jergeson, Kaufmann, Keenan, Kitzenberg, Laszloffy, Lawson, Lehman, Mangan, McCarthy, McKenney, Mood, Newman, Price, Ripley, Rome, Roush, Ryan, Schmidt, Somerville, Tash, Tester, Tropila, Waddill, Waterman, Whitaker, Witt, Wolery, Younkin, referred to Finance.

HB 456, introduced by Gutsche, Franklin, Bishop, Bohlinger, Lenhart, Nelson, A. Peterson, B. Thomas, referred to Public Health, Welfare and Safety.

HB 572, introduced by Bales, Grosfield, Shea, Wolery, referred to Natural Resources.

HB 613, introduced by Vick, referred to Finance.

Senator Waterman present at this time.

**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 Stapleton in the chair.

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

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

HB 459 - Senator Grosfield introduced **HB 459**. After discussion, the committee reverted to the body of the bill for amendment.

HB 459 - Senator Cobb moved **HB 459**, second reading copy, be amended as follows :

1. Page 2, line 11 through line 18.

Strike: subsection (III) in its entirety

Renumber: subsequent subsection

2. Page 4, line 13.

Strike: "SUBSECTIONS (1)(B)(IV)(C)(I) AND (1)(B)(IV)(C)(III)"

Insert: "subsection (1)(b)(iv)(C)(I)"

3. Page 4, line 14.

Strike: "SUBSECTIONS (1)(B)(IV)(C)(I) AND (1)(B)(IV)(C)(III)"

Insert: "subsection (1)(b)(iv)(C)(I)"

4. Page 4, line 22 through page 5, line 2.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

5. Page 5, line 17 through line 21.

Strike: section 4 in its entirety

Amendment **not** adopted as follows:

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

Total 23

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

Total 26

Absent or not voting: None.

Total 0

Excused: Mahlum.

Total 1

HB 459 - Senator Cobb moved **HB 459**, second reading copy, be amended as follows :

1. Page 2, line 7.

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Strike: "and the alternative must be economically feasible"

Amendment **not** adopted as follows:

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

Total 23

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

Total 26

Absent or not voting: None.

Total 0

Excused: Mahlum.

Total 1

HB 459 - Senator Cobb moved **HB 459**, second reading copy, be amended as follows :

1. Page 2, line 7.

Following: "feasible"

Insert: "as determined solely by the economic viability for similar projects having similar conditions and physical locations and determined without regard to the economic strength of the specific project sponsor"

Amendment **adopted** as follows:

Yeas: Berry, Bishop, Bohlinger, Christiaens, Cobb, Cocchiarella, Cole, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Grosfield, Hargrove, Harrington, Jergeson, Johnson, Keenan, Kitzenberg, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stapleton, Stonington, Tester, Thomas, Toole, Waterman, Zook.

Total 38

Nays: Butcher, Crismore, Glaser, Grimes, Halligan, Holden, Sprague, Tash, Taylor, Wells, Mr. President.

Total 11

Absent or not voting: None.

Total 0

Excused: Mahlum.

Total 1

HB 459 - Senator Grosfield moved **HB 459**, as amended, be concurred in. Motion carried as follows:

Yeas: Berry, Butcher, Cole, Crismore, DePratu, Ekegren, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Keenan, Kitzenberg, McNutt, Miller, Mohl, Nelson, O'Neil, Roush, Shea, Sprague, Stapleton, Tash,

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Taylor, Thomas, Wells, Zook, Mr. President.
Total 30

Nays: Bishop, Bohlinger, Christiaens, Cobb, Cocchiarella, Doherty, Ellingson, Franklin, Halligan, Harrington, Jergeson, Johnson, McCarthy, Pease, Ryan, Stonington, Tester, Toole, Waterman.
Total 19

Absent or not voting: None.
Total 0

Excused: Mahlum.
Total 1

HB 377 - Senator Grosfield moved **HB 377** be passed for the day. Motion carried unanimously.

Senators Cobb and Elliott excused at this time.

HB 63 - Senator Hargrove moved **HB 63**, second reading copy, be amended as follows :

1. Page 16, line 8.

Following: "INSTRUCTION."

Insert: "(1)"

2. Page 16.

Following: line 18

Insert: "(2) If House Bill No. 116 and [this act] are both passed and approved, then:

(a) [section 5 of this act], amending 19-3-2117, is amended to read:

"19-3-2117. (Effective on occurrence of contingency or July 1, 2002, whichever is earlier) Allocation of contributions and forfeitures. (1) Each plan member's retirement account must be credited with the employee contributions made under 19-3-315.

(2) Subject to adjustment by the board as provided in 19-3-2121, beginning on the plan's effective date, of the employer contributions under 19-3-316, an amount equal to:

(a) ~~4.49%~~ 4.19% of compensation must be allocated to the member's retirement account; ~~and~~

(b) ~~2.37%~~ 2.37% of compensation must be allocated to the defined benefit plan as the plan choice rate;

and

(c) 0.04% of compensation must be allocated to the education fund as provided in 19-3-112(1)(c).

(3) Subject to adjustment by the board pursuant to 19-3-2121(7) and beginning on the plan's effective date, of the employer contributions under 19-3-316, 0.3% of compensation must be allocated to the long-term disability plan trust fund established pursuant to [section 1].

(4) Forfeitures of employer contributions and investment income on the employer contributions may not be used to increase a member's retirement account. The board shall allocate the forfeitures under 19-3-2116 to meet the employer contributions obligation provided under subsection (2)(a) of this section in lieu of direct contributions by the employer and shall increase the contribution amount under subsection (2)(b) of this section by the amount of the forfeitures used in lieu of the employer contributions plan's administrative expenses, including startup expenses."

(b) [section 9 of this act], amending 19-3-2126, is amended to read:

"19-3-2126. (Effective on occurrence of contingency or July 1, 2002, whichever is earlier) ~~Minimum Refunds -- minimum~~ account balance required for membership after termination -- adjustment by rule.

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

~~(1) (a) If a member's account balance is less than \$5,000 at the time that the member terminates covered employment, the member shall terminate plan membership by removing the member's account balance from the plan in a manner provided pursuant to 19-3-2123.~~

~~_____ (b) If the member fails to remove the member's account balance, the board may close the account by paying to the member a lump-sum distribution of the member's entire account balance. Before termination of service, a member may not receive a refund of any portion of the member's vested account.~~

~~(2) Except as provided in [section 2], a nonvested member who terminates from service and whose vested account balance is less than \$200 must be paid the vested account balance in a lump sum. The payment must be made as soon as administratively feasible after the member's termination without a written application from the member.~~

~~(3) Except as provided in [section 2], unless a written application is made pursuant to subsection (4)(a), a nonvested member who terminates from service and whose vested account balance is between \$200 and \$5,000 must be paid the vested account balance in a lump sum. The payment must be made as soon as administratively feasible after the member's termination.~~

~~(4) (a) Except as provided in [section 2], upon the written application of a terminating member whose vested account balance is \$200 or more, the board shall make a direct rollover distribution pursuant to section 401(a)(31) of the Internal Revenue Code of the eligible portion of that balance. To receive the direct rollover distribution, the member is responsible for correctly designating, on forms provided by the board, a retirement plan that allows the rollover and is qualified under applicable federal law. The direct rollover distribution must be paid directly to the qualified retirement plan.~~

~~(b) Except as provided in [section 2], the amount of the member's vested account balance not eligible for a direct rollover distribution under subsection (4)(a) must be paid to the member in a lump sum.~~

~~(2)(5) The board may by rule adjust the minimum account balance provided in this section as necessary to maintain reasonable administrative costs and to account for inflation."~~

Amendment **adopted** unanimously.

HB 63 - Senator Hargrove moved **HB 63**, as amended, be concurred in. Motion carried as follows:

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

Total 44

Nays: Waterman.

Total 1

Absent or not voting: Franklin, Harrington.

Total 2

Excused: Cobb, Elliott, Mahlum.

Total 3

HB 73 - Senator K. Miller moved **HB 73** be concurred in. After discussion, Senator Miller made a **substitute motion** that **HB 73** be passed for the day. Motion carried unanimously.

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

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

Senator Cobb present at this time.
Senator Kitzenberg excused at this time.

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

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, 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: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Elliott, Kitzenberg, Mahlum.
Total 3

SB 90, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, 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: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Elliott, Kitzenberg, Mahlum.
Total 3

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Senator Kitzenberg present at this time.

SB 260, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, 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: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Elliott, Mahlum.
Total 2

SB 421, as amended by the House, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, 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: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Elliott, Mahlum.
Total 2

HB 87, as amended by the Senate, concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, 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: None.
Total 0

Absent or not voting: None.

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Total 0

Excused: Elliott, Mahlum.

Total 2

HB 440 concurred in as follows:

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

Total 45

Nays: Glaser, Mohl, Ryan.

Total 3

Absent or not voting: None.

Total 0

Excused: Elliott, Mahlum.

Total 2

HB 473, as amended by the Senate, concurred in as follows:

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

Total 29

Nays: Bishop, Bohlinger, Christiaens, Cocchiarella, Doherty, Ellingson, Elliott, Franklin, Halligan, Harrington, Jergeson, Mahlum, McCarthy, Nelson, Pease, Ryan, Shea, Stonington, Tester, Toole, Waterman.

Total 21

Paired: Berry, Thomas, Ayes; Elliott, Mahlum, Noes.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SPECIAL ORDERS OF THE DAY

SR 19 - Senator Hargrove moved **SR 19**, concurring in, confirming, and consenting to the nominations of appointments made by the Governor and submitted to the Senate, be adopted. Motion carried as follows:

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

SENATE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 21, 2001

Keenan, Kitzenberg, McCarthy, McNutt, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 46

Nays: Miller.
Total 1

Absent or not voting: None.
Total 0

Excused: Elliott, Grimes, Mahlum.
Total 3

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Thursday, March 22, 2001. Motion carried.

Senate adjourned at 3:13 p.m.

ROSANA SKELTON
Secretary of Senate

TOM BECK
President of the Senate