

**SENATE JOURNAL  
57<sup>TH</sup> LEGISLATURE  
SEVENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
April 4, 2001

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Beck presiding. Invocation by Senator Christiaens. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senator Harrington, excused. Quorum present.

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

Miller, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS AND JOURNAL** (Miller, Chairman): 4/4/2001  
Correctly enrolled: SB 94, SB 145, SB 163, SB 279, SB 440, SJR 9.  
Examined by the sponsor and found to be correct: SB 31, SB 94, SB 145, SB 163, SB 279, SB 440, SJR 9.

**BUSINESS AND LABOR** (Taylor, Chairman): 4/4/2001  
**HB 650**, be concurred in. Report adopted.

**ENERGY AND TELECOMMUNICATIONS** (Cole, Chairman): 4/4/2001  
**HB 632**, be amended as follows:

1. Title, page 1, line 14.

**Strike:** "LARGE"

**Following:** "CUSTOMERS"

**Insert:** "UNDER SECTION 69-8-201(1)(a), MCA"

2. Page 1, line 22 through line 24.

**Following:** "INCLUDING"

**Strike:** "THE" on line 22 through "DEMANDS," on line 24

3. Page 1, line 25.

**Following:** "GENERATION"

**Strike:** "₂"

4. Page 5, line 2.

**Strike:** "LARGE"

**Following:** "without"

**Insert:** "under 69-8-201(1)(a)"

5. Page 8.

**Following:** line 25

**Insert:** "(4) If the transition period is extended, the customers' distribution services provider shall:

(a) extend any cost-based contract with the distribution services provider's affiliate supplier for a term of not

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more than 3 years; or

(b) purchase electricity from the market; and

(c) use a mechanism that recovers electricity supply costs in rates to ensure that those costs are fully recovered."

**Renumber:** subsequent subsection

6. Page 11, line 25.

**Strike:** "6-YEAR"

**Insert:** "4-year"

7. Page 12, line 19.

**Strike:** "LARGE"

**Following:** "CUSTOMERS"

**Insert:** "under 69-8-201(1)(a)"

8. Page 12, line 22.

**Following:** "(3)."

**Insert:** "In addition to any other requirements that the commission may impose, in order to be eligible for a lifeline rate, customers under 69-8-201(1)(a) that request a lifeline rate classification shall agree to repay, under procedures established by the commission, any difference between the lifeline rate and the interim rate established by the commission pursuant to subsection (3). If the lifeline rate is greater than the interim rate, the commission shall establish procedures to reimburse those customers under 69-8-201(1)(a) that received a lifeline rate."

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

**HB 646**, be amended as follows:

1. Page 2, line 18.

**Strike:** "3"

**Insert:** "20"

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

**MESSAGES FROM THE GOVERNOR**

April 3, 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 8** sponsored by Senator Waterman, **Senate Bill 33** sponsored by Senator McCarthy et al., **Senate Bill 42** sponsored by Senator McCarthy et al., **Senate Bill 56** sponsored by Senator McNutt, **Senate Bill 81** sponsored by Senator Hargrove et al., **Senate Bill 166** sponsored by Senator Stonington et al.,

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**Senate Bill 175** sponsored by Senator Glaser, **Senate Bill 194** sponsored by Senator Nelson et al., **Senate Bill 228** sponsored by Senator Ekegren et al., **Senate Bill 257** sponsored by Senator Bohlinger et al., and **Senate Bill 268** sponsored by Senator Hargrove et al on April 3, 2001.

Sincerely,  
JUDY MARTZ  
Governor

**MESSAGES FROM THE OTHER HOUSE**

Senate bills concurred in and returned to the Senate: 4/3/2001

**SB 147**, introduced by Keenan  
**SB 226**, introduced by J. Wells  
**SB 428**, introduced by Harrington  
**SB 479**, introduced by Hargrove

Senate Joint Resolution concurred in as amended and returned to the Senate: 3/26/2001

**SJR 18**, introduced by Taylor

Senate bill **not** concurred in and returned to the Senate: 4/2/2001

**SB 407**, introduced by Berry

**Conference Committees** appointed: 4/3/2001

**HB 216** - The House failed to concur in Senate amendments to **HB 216**, authorized the Speaker to appoint the following conference committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 216**:

Representative Himmelberger, Chairman  
Representative Harris  
Representative K. Peterson

**HB 266** - The House failed to concur in Senate amendments to **HB 266**, authorized the Speaker to appoint the following conference committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 266**:

Representative Shockley, Chairman  
Representative Clancy  
Representative P. Clark

**HJR 32** - The House failed to concur in Senate amendments to **HJR 32**, authorized the Speaker to appoint the following conference committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HJR 32**:

Representative B. Thomas, Chairman

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Representative Bixby  
Representative Lawson

**Free Conference Committee** appointed:

4/2/2001

**HB 473** - The House failed to concur in Senate amendments to **HB 473**, authorized the Speaker to appoint the following **free** conference committee, and requested that the Senate appoint a like committee to confer on **HB 473**:

Representative C. Younkin, Chairman  
Representative Gutsche  
Representative D. Mood

**MOTIONS**

**SB 28** - Majority Leader Thomas moved 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 28**. Motion carried. The President appointed the following members:

Senator Hargrove, Chairman  
Senator Holden  
Senator Halligan

**SB 48** - Majority Leader Thomas moved 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 48**. Motion carried. The President appointed the following members:

Senator Sprague, Chairman  
Senator Butcher  
Senator Ryan

**SB 135** - Majority Leader Thomas moved 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 135**. Motion carried. The President appointed the following members:

Senator Johnson, Chairman  
Senator O'Neil  
Senator Waterman

**SB 151** - Majority Leader Thomas moved 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 151**. Motion carried. The President appointed the following members:

Senator Mahlum, Chairman  
Senator Berry  
Senator Jergeson

**SB 196** - Majority Leader Thomas moved the President be authorized to appoint a **Conference Committee**, and request

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the House to appoint a like committee to confer on House Amendments to **SB 196**. Motion carried. The President appointed the following members:

Senator Holden, Chairman  
Senator Ekegren  
Senator Tester

**HB 473** - Majority Leader Thomas moved that the Conference Committee on **HB 473** be **dissolved** and that the President be authorized to appoint a **Free Conference Committee** on **HB 473**. Motion carried. The President appointed the following members:

Senator Crismore, Chairman  
Senator Thomas  
Senator Roush

**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 Zook in the chair.

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

**SB 242 - House Amendments** - Senator O'Neil moved House amendments to **SB 242** be concurred in. After discussion, Senator Halligan made a **substitute motion** that House amendments to **SB 242** be **not** concurred in. Motion carried as follows:

Yeas: Bishop, Bohlinger, Christiaens, Cobb, Cocchiarella, Doherty, Ekegren, Ellingson, Franklin, Grimes, Grosfield, Halligan, Jergeson, Johnson, Kitzenberg, McCarthy, McNutt, Mohl, Nelson, Pease, Roush, Ryan, Shea, Stapleton, Stonington, Tester, Toole, Waterman.  
Total 28

Nays: Berry, Butcher, Cole, Crismore, DePratu, Ellis, Glaser, Hargrove, Holden, Keenan, Mahlum, Miller, O'Neil, Sprague, Tash, Taylor, Thomas, Wells, Zook, Mr. President.  
Total 20

Absent or not voting: Elliott.  
Total 1

Excused: Harrington.  
Total 1

**SB 245 - House Amendments** - Senator R. Holden moved House amendments to **SB 245** be concurred in. Motion carried as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cole, DePratu, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove,

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Holden, Johnson, Keenan, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Stapleton, Tash, Taylor, Tester, Thomas, Wells, Zook, Mr. President.  
Total 30

Nays: Christiaens, Cocchiarella, Doherty, Elliott, Franklin, Jergeson, Kitzenberg, McCarthy, Pease, Roush, Ryan, Shea, Sprague, Stonington, Toole, Waterman.  
Total 16

Absent or not voting: Crismore, Ellingson, Halligan.  
Total 3

Excused: Harrington.  
Total 1

**SB 283 - House Amendments** - Senator Waterman moved House amendments to **SB 283** be **not** concurred in. Motion carried unanimously.

**SB 288 - House Amendments** - Senator Christiaens moved House amendments to **SB 288** be concurred in. Motion carried unanimously.

**SB 293 - House Amendments** - Senator Doherty moved House amendments to **SB 293** be concurred in. Motion carried unanimously.

**SB 298 - House Amendments** - Senator Glaser moved House amendments to **SB 298** be concurred in. Motion carried unanimously.

**SB 304 - House Amendments** - Senator Nelson moved House amendments to **SB 304** be concurred in. Motion carried unanimously.

**SB 309 - House Amendments** - Senator Halligan moved House amendments to **SB 309** be concurred in. Motion carried unanimously.

**SB 310 - House Amendments** - Senator Waterman moved House amendments to **SB 310** be concurred in. Motion carried unanimously.

**SB 318 - House Amendments** - Senator Ekegren moved House amendments to **SB 318** be concurred in. Motion carried unanimously.

**SB 319 - House Amendments** - Senator Cole moved House amendments to **SB 319** be concurred in. Motion carried unanimously.

**SB 320 - House Amendments** - Senator Kitzenberg moved House amendments to **SB 320** be **not** concurred in. Motion carried unanimously.

**SB 327 - House Amendments** - Senator Doherty moved House amendments to **SB 327** be **not** concurred in. Motion carried unanimously.

**SB 330 - House Amendments** - Senator Mahlum moved House amendments to **SB 330** be concurred in. Motion

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carried unanimously.

**SB 339 - House Amendments** - Senator Berry moved House amendments to **SB 339** be concurred in. Motion carried unanimously.

**SB 348 - House Amendments** - Senator Elliott moved House amendments to **SB 348** be **not** concurred in. Motion carried unanimously.

**SB 356 - House Amendments** - Senator Hargrove moved House amendments to **SB 356** be concurred in. Motion carried unanimously.

**SB 359 - House Amendments** - Senator Halligan moved House amendments to **SB 359** be concurred in. Motion carried unanimously.

**Senator Ellingson excused at this time.**

**SB 377 - House Amendments** - Senator Grimes moved House amendments to **SB 377** be concurred in. Motion carried as follows:

Yeas: Berry, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Ekegren, Ellis, Grimes, Grosfield, Halligan, Hargrove, Holden, Johnson, Keenan, Mahlum, McNutt, Miller, Mohl, O'Neil, Shea, Sprague, Stonington, Tash, Taylor, Tester, Thomas, Wells, Zook, Mr. President.

Total 31

Nays: Bishop, Bohlinger, Christiaens, Doherty, Elliott, Jergeson, McCarthy, Nelson, Pease, Roush, Ryan, Waterman.

Total 12

Absent or not voting: Franklin, Glaser, Kitzenberg, Stapleton, Toole.

Total 5

Excused: Ellingson, Harrington.

Total 2

**SB 378 - House Amendments** - Senator Tash moved House amendments to **SB 378** be concurred in. Motion carried unanimously.

**SB 390 - House Amendments** - Senator Cobb moved House amendments to **SB 390** be **not** concurred in. Motion carried unanimously.

**SB 396** - Senator Grosfield moved consideration of **SB 396** be passed for the day. Motion carried.

**SB 423 - House Amendments** - Senator Ellis moved House amendments to **SB 423** be **not** concurred in. Motion carried unanimously.

**SB 426 - House Amendments** - Senator Halligan moved House amendments to **SB 426** be concurred in. Motion carried unanimously.

**SB 427 - House Amendments** - Senator R. Johnson moved House amendments to **SB 427** be **not** concurred in. Motion

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carried unanimously.

**SB 429 - House Amendments** - Senator Sprague moved House amendments to **SB 429** be **not** concurred in. Motion carried with Senator Elliott voting nay.

**SB 431 - House Amendments** - Senator Stonington moved House amendments to **SB 431** be concurred in. Motion carried unanimously.

**SB 432 - House Amendments** - Senator Taylor moved House amendments to **SB 432** be concurred in. After discussion, Senator Taylor made a **substitute motion** that House amendments to **SB 432** be **not** concurred in. Motion carried unanimously.

**SB 433 - House Amendments** - Senator Elliott moved House amendments to **SB 433** be concurred in. Motion carried unanimously.

**SB 436 - House Amendments** - Senator Ellis moved House amendments to **SB 436** be concurred in. Motion carried unanimously.

**SB 437 - House Amendments** - Senator Cole moved House amendments to **SB 437** be **not** concurred in. Motion carried unanimously.

**SB 441 - House Amendments** - Senator Christiaens moved House amendments to **SB 441** be **not** concurred in. Motion carried unanimously.

**SB 442 - House Amendments** - Senator Cobb moved House amendments to **SB 442** be concurred in. Motion carried unanimously.

**SB 443 - House Amendments** - Senator Butcher moved House amendments to **SB 443** be concurred in. Motion carried unanimously.

**SB 448 - House Amendments** - Senator Christiaens moved House amendments to **SB 448** be concurred in. Motion carried unanimously.

**SB 449 - House Amendments** - Senator Tester moved House amendments to **SB 449** be concurred in. Motion carried unanimously.

**SB 450 - House Amendments** - Senator Grimes moved House amendments to **SB 450** be concurred in. Motion carried unanimously.

**SB 455 - House Amendments** - Senator Doherty moved House amendments to **SB 455** be concurred in. Motion carried unanimously.

**SB 457 - House Amendments** - Senator Ryan moved House amendments to **SB 457** be **not** concurred in. Motion carried unanimously.

**SB 465 - House Amendments** - Senator Franklin moved House amendments to **SB 465** be concurred in. Motion carried unanimously.



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Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Beck in the chair. Chairman Zook moved 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 3, as amended by the House**, passed as follows:

Yeas: Berry, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, 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, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Zook, Mr. President.

Total 45

Nays: Bishop, Holden, Wells.

Total 3

Absent or not voting: None.

Total 0

Excused: Ellingson, Harrington.

Total 2

**SB 51, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Ellingson, Harrington.

Total 2

**SB 60, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Holden, Jergeson, Johnson, Kitzenberg, Mahlum, McCarthy, McNutt, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor,

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Tester, Thomas, Toole, Waterman, Zook, Mr. President.  
Total 44

Nays: Butcher, Keenan, Miller, Wells.  
Total 4

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 77, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 82, as amended by the House**, passed as follows:

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

Nays: Pease, Waterman.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 104, as amended by the House**, passed as follows:

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Yeas: Berry, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.  
Total 44

Nays: Bishop, Cobb, Ellis, Ryan.  
Total 4

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 108, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 116, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

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**SB 130, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 132, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 138, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Ekegren, Elliott, Ellis, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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 46

Nays: Doherty, Franklin.  
Total 2

Absent or not voting: None.  
Total 0

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Excused: Ellingson, Harrington.  
Total 2

**SB 152, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 167, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: Cobb.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 170, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, 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: None.  
Total 0

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Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 185, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, 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, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.  
Total 47

Nays: Holden.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 197, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Holden, Jergeson, Johnson, 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 46

Nays: Keenan, Miller.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 204, as amended by the House, passed as follows:**

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

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Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 221, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Ekegren, Elliott, Ellis, Glaser, Grimes, Grosfield, Halligan, Hargrove, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.  
Total 44

Nays: Doherty, Franklin, Ryan, Stonington.  
Total 4

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 229, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Franklin, Glaser, Grosfield, Halligan, Hargrove, 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: Grimes.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Ellingson, Harrington.  
Total 2

**SB 241, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Elliott, Ellis, Glaser, Grimes, Grosfield, Halligan, Hargrove, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash,





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3. Page 5.

**Following:** line 15

**Insert:** "One-stop grant 2001 765,678 Federal Funds"

4. Page 5, line 16.

**Following:** "grant"

**Insert:** ", the Workforce Investment Act, the one-stop grant,"

5. Page 5, line 22.

**Following:** line 21

**Insert:** "All remaining fiscal year 2001 federal budget amendment authority for onsite consultation is authorized to continue into fiscal year 2002."

6. Page 6.

**Following:** line 23

**Insert:** "Newborn hearing screening - HRSA 2001 171,501 Federal Funds  
Pregnancy risk assessment - CDC 2001 81,784 Federal Funds  
Public health workforce development 2001 36,579 Federal Funds"

7. Page 6, line 24.

**Following:** "for"

**Insert:** "newborn hearing screening - HRSA, pregnancy risk assessment - CDC, public health workforce development grant,"

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

**HB 6**, be amended as follows:

1. Page 1, line 17.

**Strike:** "\$590,741"

**Insert:** "\$600,741"

2. Page 4, line 20.

**Strike:** "40,000"

**Insert:** "50,000"

3. Page 5, line 22.

**Strike:** "74,993"

**Insert:** "100,000"

4. Page 5.

**Strike:** lines 24 and 25 in their entirety

**Insert:** "Malta Irrigation District 68,290"

**Insert:** "(Replacement and Modification of Check Structures)"

5. Page 5.

**Strike:** lines 28 and 29 in their entirety

**Insert:** "Montana State University 100,000"

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**Insert:** "(Married Student Housing Irrigation Project)"

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

**HB 8**, be concurred in. Report adopted.

**HB 247**, be concurred in. Report adopted.

**HB 395**, be amended as follows:

1. Page 1, line 29.

**Strike:** "STATE SPECIAL REVENUE ACCOUNT"

**Insert:** "general fund"

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

**HB 447**, be concurred in. Report adopted.

**HB 608**, be concurred in. Report adopted.

**TAXATION** (DePratu, Chairman):

4/4/2001

**HB 248**, be amended as follows:

1. Page 2, line 29.

**Strike:** "and"

2. Page 2.

**Following:** line 29

**Insert:** "(c) examine tax expenditures to assess the ongoing merit of each expenditure; and"

**Renumber:** subsequent subsection

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

**SPECIAL ORDERS OF THE DAY**

**A PROCLAMATION OF THE SENATE AND THE HOUSE OF  
REPRESENTATIVES OF THE STATE OF MONTANA**

**WHEREAS**, June 25, 2000 through July 26, 2003 is the 50<sup>th</sup> Anniversary of the hostilities in Korea, beginning with the invasion of South Korea by North Korean Communist forces, most commonly known as the Korean War; and

**WHEREAS**, more than 5.6 million Americans served this nation during this conflict; and

**WHEREAS**, 33,686 Americans lost their lives during the Korean War; and

**WHEREAS**, 17,320 Americans lost their lives worldwide in associated Cold War operations during the Korean War; and

**WHEREAS**, more than 19,500 Montanans served their state and nation as members of the United States Armed forces during this same period; and

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**WHEREAS**, more than 5,000 Montanans served in the surrounding areas around the Korean combat zone from 1950-53; and

**WHEREAS**, nearly 200 Montanans lost their lives in Korea during the Korean War; and

**WHEREAS**, 28 Montanans are presently considered to be Prisoners of War or Missing In Action (POW-MIA) as a result of the Korean War; and

**WHEREAS**, thousands of Montanans have served in Korea since the cessation of hostilities on July 26, 1953, and many more will continue to serve in Korea because of America's commitment to world peace;

**THEREFORE**, as representatives of the 57<sup>th</sup> Montana State Legislature, we do hereby proclaim the period of June 25, 2000 through July 26, 2003, as "**KOREAN WAR COMMEMORANCE.**"

TOM BECK  
Senate President  
House

DAN MCGEE  
Speaker of the

STEVE DOHERTY  
Senate Minority Leader

KIM GILLAN  
House Minority Leader

The Senate honored their four Korean Veterans: Senator Mahlum, Senator Roush, Senator Tash and Senator Zook.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Thursday, April 5, 2001. Motion carried.

Senate adjourned at 3:10 p.m.

ROSANA SKELTON  
Secretary of Senate

TOM BECK  
President of the Senate