

**SENATE JOURNAL  
57<sup>TH</sup> LEGISLATURE  
EIGHTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
April 13, 2001

Senate Chambers  
State Capitol

Senate convened at 8:00 a.m. President Beck presiding. Invocation by Reverend Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Butcher, Franklin, Grosfield, and Sprague, excused. Quorum present.

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

Miller, Chairman

**Senators Butcher, Franklin and Grosfield present at this time.**

**REPORTS OF STANDING COMMITTEES**

**BILLS AND JOURNAL** (Miller, Chairman):

4/13/2001

Correctly printed: SJR 22, SR 23, HJR 35, HJR 39, HJR 40, HJR 41.

Correctly enrolled: SB 390.

Examined by the sponsor and found to be correct: SB 46, SB 131, SB 162, SB 240, SB 280, SB 317, SB 326, SB 344, SB 368, SB 390, SB 489, SB 495, SB 501, SB 519.

Signed by the President at 9:00 a.m., April 13, 2001: SB 429.

Signed by the Speaker at 9:10 a.m., April 13, 2001: SB 338, SB 429.

Signed by the Secretary of Senate at 9:15 a.m., April 13, 2001: SB 338, SB 429.

Delivered to the Secretary of State at 9:30 a.m., April 13, 2001: SJR 6, SJR 8, SJR 10, SJR 12, SJR 16.

Delivered to the Governor for approval at 9:40 a.m., April 13, 2001: SB 169, SB 171, SB 181, SB 190, SB 218, SB 236, SB 237, SB 245, SB 248, SB 253, SB 261, SB 265, SB 286, SB 288, SB 293, SB 298, SB 304, SB 309, SB 310, SB 311, SB 318, SB 319, SB 324, SB 328, SB 333, SB 338, SB 355, SB 429.

Signed by the President at 10:55 a.m., April 13, 2001: SB 390.

Signed by the Speaker at 10:57 a.m., April 13, 2001: SB 390.

Signed by the Secretary of Senate at 11:00 a.m., April 13, 2001: SB 390.

Delivered to the Governor for approval at 11:02 a.m., April 13, 2001: SB 390.

**HIGHWAYS AND TRANSPORTATION** (Mohl, Chairman):

4/12/2001

**HJR 37**, be concurred in. Report adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 214**  
Report No. 1, April 12, 2001

Mr. Speaker and Mr. President:

We, your Conference Committee on **House Bill 214**, met April 12, 2001, and considered:

1. Senate Committee on Judiciary amendments to third reading copy, dated March 22, 2001.

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We recommend that **House Bill 214** (reference copy – salmon) be amended as follows:

1. Title, line 6.

**Following:** "ELECTION"

**Insert:** "TO BE ELECTED AT THE NOVEMBER 2002 GENERAL ELECTION"

2. Title, line 7.

**Following:** "DELAYED"

**Strike:** "AN"

**Insert:** "A DELAYED"

**Following:** "DATE"

**Strike:** "AND AN APPLICABILITY DATE"

3. Page 1, line 21.

**Strike:** "JULY 1, 2001"

**Insert:** "January 1, 2002"

4. Page 1, line 28 through page 2, line 1.

**Strike:** section 3 in its entirety

**Insert:** "NEW SECTION. Section 3. Election of judges. The additional judges for the 8th and 21st judicial districts must be elected at the general election to be held in November 2002 and shall take office in January 2003."

For the House:

Shockley, Vice Chairman  
Gutsche  
Laible

For the Senate:

Berry, Chairman  
F. Thomas  
Doherty

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 324**  
Report No. 1, April 12, 2001

Mr. Speaker and Mr. President:

We, your Conference Committee on **House Bill 324**, April 12, 2001, met and considered:

1. Senate Committee on Public Health, Welfare and Safety amendments to third reading copy, dated March 28, 2001.

We recommend that **House Bill 324** (reference copy – salmon) be amended as follows:

1. Page 3, line 24.

**Strike:** "ONLY"

**Strike:** "PROVIDING"

**Insert:** "which includes"

For the House:

Brueggeman, Vice Chairman

For the Senate:

Grimes, Chairman

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Noennig  
Mangan

Holden  
Jergeson

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 603**  
Report No. 1, April 12, 2001

Mr. Speaker and Mr. President:

We, your Conference Committee on **House Bill 603**, met April 12, 2001 and considered:

1. Senate Committee in Judiciary amendments to third reading copy, dated March 27, 2001.

We recommend that Senate amendments to **House Bill 603** (reference copy – salmon) be accepted by the House.

For the House:

Shockley, Vice Chairman  
P. Clark  
L. Holden

For the Senate:

Grimes, Chairman  
O'Neil  
Stonington

**MESSAGES FROM THE OTHER HOUSE**

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments:

**SB 92**, introduced by Halligan 4/12/2001  
**SB 394**, introduced by Shea  
**SB 398**, introduced by K. Miller

Senate bill **not** concurred in and returned to the Senate: 4/11/2001

**SB 383**, introduced by Glaser

Senate amendments to House bills concurred in: 4/13/2001

**HB 33**, introduced by C. Younkin  
**HB 63**, introduced by Dell  
**HB 87**, introduced by Masolo  
**HB 94**, introduced by Gillan  
**HB 116**, introduced by D. Mood  
**HB 120**, introduced by McKenney  
**HB 179**, introduced by Dell  
**HB 186**, introduced by L. Holden  
**HB 201**, introduced by Davies  
**HB 218**, introduced by Facey  
**HB 230**, introduced by Price  
**HB 239**, introduced by B. Thomas  
**HB 249**, introduced by Laslovich  
**HB 265**, introduced by Facey

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**HB 279**, introduced by McKenney  
**HB 331**, introduced by Eggers  
**HB 353**, introduced by Fritz  
**HB 362**, introduced by McKenney  
**HB 368**, introduced by Hedges  
**HB 375**, introduced by Carney  
**HB 381**, introduced by Noennig  
**HB 387**, introduced by Hedges  
**HB 390**, introduced by Shockley  
**HB 401**, introduced by Lee  
**HB 405**, introduced by C. Younkin  
**HB 406**, introduced by Gillan  
**HB 412**, introduced by Wolery  
**HB 430**, introduced by Clancy  
**HB 455**, introduced by Lewis  
**HB 469**, introduced by Rice  
**HB 472**, introduced by Rome  
**HB 498**, introduced by Branae  
**HB 510**, introduced by Lawson  
**HB 564**, introduced by Olson  
**HB 596**, introduced by Bitney

**Conference Committees appointed:**

**HB 600** - The House failed to concur in Senate amendments to HB 600, 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 600**:

4/12/2001

Representative Sliter, Chairman  
Representative Bookout-Reinicke  
Representative Raser

**HB 625** - The House failed to concur in Senate amendments to HB 625, 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 625**:

4/12/2001

Representative McKenney, Chairman  
Representative Olson  
Representative Musgrove

**Free Conference Committees appointed:**

**HB 474** - The House failed to concur in Senate amendments to HB 474, authorized the Speaker to appoint the following **Free Conference Committee**, and requested that the Senate appoint a like committee to confer on **HB 474**:

4/12/2001

Representative D. Mood, Chairman  
Representative R. Brown  
Representative Dell

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**HB 645** - The House failed to concur in Senate amendments to HB 645, authorized the Speaker to appoint the following **Free Conference Committee**, and requested that the Senate appoint a like committee to confer on **HB 645**:  
4/12/2001

Representative D. Mood, Chairman  
Representative r. Brown  
Representative Dell

**MOTIONS**

**HB 5** - 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 5**. Motion carried. The President appointed the following members:

Senator Tash, Chairman  
Senator Stapleton  
Senator Tester

**HB 644** - 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 644**. Motion carried. The President appointed the following members:

Senator DePratu, Chairman  
Senator Ekegren  
Senator Harrington

**HB 41** - Majority Leader Thomas moved that the President be authorized to appoint a **Free Conference Committee** to meet with a like committee from the House to confer on **HB 41**. Motion carried. The President appointed the following members:

Senator Keenan, Chairman  
Senator Miller  
Senator Jergeson

**HB 632** - Majority Leader Thomas moved that the President be authorized to appoint a **Free Conference Committee** to meet with a like committee from the House to confer on **HB 632**. Motion carried. The President appointed the following members:

Senator McNutt, Chairman  
Senator Ellis  
Senator Ryan

**HB 646** - Majority Leader Thomas moved that the President be authorized to appoint a **Free Conference Committee** to meet with a like committee from the House to confer on **HB 646**. Motion carried. The President appointed the following members:

Senator Cole, Chairman  
Senator DePratu  
Senator Halligan

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

Senator Berry moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator K. Miller in the chair.

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

**Senator Grosfield present at this time.**

**The Senate stood at ease** while Senator Halligan and President Beck introduced Jerome Anderson on the occasion of his 80<sup>th</sup> birthday. Mr. Anderson has been involved with the Legislature since 1947, both as a member of the legislature, and as a lobbyist. The members sang "Happy Birthday" and gave him a standing ovation.

**The Senate resumed.**

**SB 390 - Free Conference Committee Report No. 1** - Senator Cobb moved the Free Conference Committee report to **SB 390** be adopted. Motion carried unanimously.

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

**MOTIONS**

**SB 390-FCC** - Majority Leader Thomas moved that the **rules** of the Senate **be suspended** to allow SB 390, Free Conference Committee Report, to be placed on the third reading board this legislative day. Motion carried as follows:

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

Total 1

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**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 65, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.

Total 1

**SB 129, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.

Total 1

**SB 134, as amended by the House**, passed as follows:

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

Total 28

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

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Total 22

Paired: Sprague, Aye; Jergeson, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 258, as amended by the House,** passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.

Total 1

**SB 263, as amended by the House,** passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.

Total 48

Nays: Cobb.

Total 1

Absent or not voting: None.

Total 0

Excused: Sprague.

Total 1

**SB 264, as amended by the House,** passed as follows:

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



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Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, 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: Sprague.  
Total 1

**SB 281, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

**SB 303, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, Pease, Roush, Ryan, Shea, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.  
Total 48

Nays: O'Neil.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Sprague.  
Total 1

**SB 327, Free Conference Committee Report No. 1, adopted as follows:**

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Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

**SB 346, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

**SB 350, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, Pease, Roush, Ryan, Shea, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Zook, Mr. President.  
Total 45

Nays: Cobb, Keenan, O'Neil, Wells.  
Total 4

Absent or not voting: None.  
Total 0

Excused: Sprague.  
Total 1

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**SB 393, as amended by the House**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

**SB 429, Conference Committee Report No. 1**, passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Waterman, Wells, Zook, Mr. President.  
Total 47

Nays: Franklin, Toole.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Sprague.  
Total 1

**SB 437, Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Ekegren, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Wells, Zook, Mr. President.  
Total 40

Nays: Christiaens, Doherty, Ellingson, Franklin, Halligan, Harrington, Ryan, Stonington, Toole, Waterman.  
Total 10

Paired: Sprague, Aye; Stonington, No.

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

**SB 483, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, Shea, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.

Total 47

Nays: Miller, Ryan.

Total 2

Absent or not voting: None.

Total 0

Excused: Sprague.

Total 1

**SB 484, as amended by the House, passed as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.

Total 1

**SB 494, as amended by the House, passed as follows:**

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

Total 40

Nays: Bishop, Christiaens, Harrington, McCarthy, Miller, Pease, Ryan, Taylor, Tester, Waterman.

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Total 10

Paired: Sprague, Aye; Ryan, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 510, as amended by the House, passed as follows:**

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

Total 41

Nays: Christiaens, Cocchiarella, Doherty, Ellingson, Franklin, Halligan, Ryan, Toole.

Total 8

Absent or not voting: None.

Total 0

Excused: Sprague.

Total 1

**HB 399, as amended by the Governor, concurred in as follows:**

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.

Total 1

**HB 459, Free Conference Committee Report No. 1, adopted as follows:**

Yeas: Berry, Butcher, Cole, Crismore, DePratu, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden,

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Kitzenberg, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Roush, Shea, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.  
Total 28

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

Absent or not voting: None.  
Total 0

Excused: Sprague.

**HB 473, Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Berry, Butcher, Cobb, Cole, Crismore, DePratu, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Johnson, Kitzenberg, Mahlum, McNutt, Miller, Mohl, O'Neil, Roush, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.  
Total 28

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

Absent or not voting: None.  
Total 0

Excused: Sprague.  
Total 1

**HB 500, as amended by the Governor**, concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

**HB 543, Free Conference Committee Report No. 1**, adopted as follows:

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Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

**HB 572, Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellis, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Waterman, Wells, Zook, Mr. President.  
Total 45

Nays: Ellingson, Elliott, Franklin, Toole.  
Total 4

Absent or not voting: None.  
Total 0

Excused: Sprague.  
Total 1

**HJR 32, Conference Committee Report No. 1**, adopted as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, 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: Sprague.  
Total 1

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**HJR 39, as amended by the Senate**, concurred in as follows:

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

Total 46

Nays: Keenan, Stapleton, Mr. President.

Total 3

Absent or not voting: None.

Total 0

Excused: Sprague.

Total 1

**SB 390, Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, 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, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Wells, Zook, Mr. President.

Total 48

Nays: Waterman.

Total 1

Absent or not voting: None.

Total 0

Excused: Sprague.

Total 1

**MOTIONS**

**SB 134 - House Amendments** - Senator McCarthy moved that she be allowed to change her vote on **SB 134 - House Amendments**, third reading this day, from yea to nay. Motion carried.

**HB 473 - Free Conference Committee** - Senator O'Neil moved that he be allowed to change his vote on **HB 473 - Free Conference Committee**, third reading this day, from nay to yea. Motion carried.

**HB 600** - Majority Leader Thomas moved that the President be authorized to appoint a **Free Conference Committee** to meet with a like committee from the House to confer on **HB 600**. Motion carried. The President appointed the following members:

Senator Cole, Chairman

Senator DePratu



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Senator Halligan

**HB 474** - Majority Leader Thomas moved that the President be authorized to appoint a **Free Conference Committee** to meet with a like committee from the House to confer on **HB 474**. Motion carried. The President appointed the following members:

Senator McNutt, Chairman  
Senator Ellis  
Senator Ryan

**HB 645** - Majority Leader Thomas moved that the President be authorized to appoint a **Free Conference Committee** to meet with a like committee from the House to confer on **HB 645**. Motion carried. The President appointed the following members:

Senator McNutt, Chairman  
Senator Ellis  
Senator Ryan

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

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

Majority Leader Thomas moved that the Senate adjourn until 5:00 p.m., Monday, April 16, 2001. Motion carried.

Senate adjourned at 9:10 a.m.

ROSANA SKELTON  
Secretary of Senate

TOM BECK  
President of the Senate