

**SENATE JOURNAL
58TH LEGISLATURE
FOURTEENTH LEGISLATIVE DAY**

Helena, Montana
January 23, 2003

Senate Chambers
State Capitol

MOTIONS

Majority Leader Thomas moved that the Senate proceed to the House of Representatives for the purpose of receiving the State of Tribal Nations Address, and further that the Senate reconvene upon adjournment of the joint session. Motion carried.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Clark escorted the Senate into the House chamber.

Speaker Mood recognized President Keenan and yielded the chair to him.

Senate Majority Leader Thomas moved that the body resolve itself into a joint session for the purpose of receiving the State of Tribal Nations Address from Carl Venne, Honorable Chairman of the Crow Nation. Motion carried.

Senate Majority Leader Thomas further moved the president be authorized to appoint a committee of four to notify the chairman of the Crow Nation that we are in joint session and ready to receive the State of Tribal Nations Address. Motion carried.

The president appointed Senator Pease, Senator Glaser, Representative Lambert and Representative Juneau and discharged the committee to escort the chairman and dignitaries into the House chamber.

The escort committee escorted Chairman Venne and dignitaries into the House chamber. The "Mighty Few" welcomed the chairman and dignitaries with a drum selection.

President Keenan introduced Chief Earl Old Person of the Blackfeet Nation, who lead the joint session in prayer, followed by the Pledge of Allegiance.

President Keenan welcomed all the representatives of the Tribal Nations, and introduced Chairman Venne, Chairman of the Crow Nation, who gave the State of Tribal Nations Address.

Chief Earl Old Person gave the benediction, accompanied by members of the drummer group, "Mighty Few", performing the flag song.

Senate Majority Leader Thomas moved the joint session of the 58th legislature, convened to receive the State of Tribal Nations Address, be adjourned. Motion carried.

Joint session adjourned at 1:36 p.m.

Senate reconvened at 1:42 p.m.

Roll Call. All members present. Quorum present.

The presiding officer has authenticated the daily journal for the thirteenth legislative day.

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REPORTS OF STANDING COMMITTEES

BILL REPORT

Correctly printed: **SB 243, SB 244, SB 245, SB 246, SB 247, SB 248, SB 249, SB 250.**

Correctly engrossed: **SB 35, SB 47, SB 57, SB 77, SB 141, SB 163.**

AGRICULTURE, LIVESTOCK AND IRRIGATION (Bales, Chairman): 1/22/2003
SJR 8, be adopted. Report adopted.

BUSINESS AND LABOR (Mahlum, Chairman): 1/22/2003
SB 109, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

Following: "PHARMACY;"

Strike: remainder of line 6 through "NURSING;" on line 7

2. Title, page 1, line 13.

Following: "REVOKED;"

Insert: "MODIFYING CHIROPRACTIC LICENSING AND EXAMINATION REQUIREMENTS;"

3. Title, page 1, line 14.

Following: "ACUPUNCTURISTS;"

Insert: "REMOVING THE LIMITATION ON THE REEXAMINATION ELIGIBILITY PERIOD FOR HEARING AID
DISPENSERS;"

4. Title, page 1, line 19.

Following: "2-15-1733,"

Strike: "2-15-1734,"

5. Title, page 1, line 21.

Following: "37-12-102,"

Insert: "37-12-302, 37-12-304,"

Following: "37-13-306,"

Insert: "37-16-403,"

6. Page 1, line 30.

Following: "a"

Strike: "licensed"

Insert: "registered"

7. Page 2, line 8.

Following: "A"

Strike: "licensed"

Insert: "registered"

8. Page 2, line 9.

Following: "A"

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Strike: "licensed"
Insert: "registered"

9. Page 2, line 27 through page 3, line 21.

Strike: section 2 in its entirety
Renumber: subsequent sections

10. Page 6, line 9.

Following: ""M.D.""
Insert: ", "D.O.","

11. Page 15, line 12.

Following: line 11

Insert: "Section 18. Section 37-12-302, MCA, is amended to read:

"37-12-302. Applications -- qualifications -- fees. (1) A person wishing to practice chiropractic in this state shall make application to the department, on the form and in the manner prescribed by the board, ~~at least 21 days prior to a meeting of the board.~~ Each applicant must be a graduate of or expect to graduate within 90 days prior to the next licensing examination administered by the board from a college of chiropractic approved by the board, in which the applicant has attended a course of study of 4 school years of not less than 9 months each. The applicant shall present evidence showing proof of a bachelor's degree from an accredited college or university. Application must be made in writing, must be sworn to by an officer authorized to administer oaths, and must recite the history of applicant's educational qualifications, how long the applicant has studied chiropractic, of what school or college the applicant is a graduate, and the length of time the applicant has been engaged in practice. The application must be accompanied with copies of diplomas and certificates and satisfactory evidence of good character and reputation.

(2) The applicant shall pay to the department a license fee prescribed by the board. A fee must also be paid for a subsequent examination and application.

(3) A person who is licensed in another state or who previously graduated from or was enrolled in a chiropractic college accredited by the council on chiropractic education on or before October 1, 1995, is exempt from the bachelor's degree requirement."

"

Insert: "Section 19. Section 37-12-304, MCA, is amended to read:

"37-12-304. Examinations -- subjects. (1) ~~Examinations for a license to practice chiropractic must be made by the department, subject to 37-1-101, according to the method considered by the board to be the most practicable and expeditious to test the applicant's qualifications. The application must be designated by a number instead of the applicant's name so that the identity will not be discovered or disclosed until after the examination papers are graded.~~ Applicants for a license to practice chiropractic must have passed an examination prescribed by the board.

(2) ~~Examinations must be administered on subjects taught in chiropractic colleges, on the provisions of this chapter, and on other provisions of the Montana Code Annotated pertaining to the practice of chiropractic. A license must be granted to applicants who correctly answer 75% of all questions asked, including x-ray questions. If an applicant fails to answer correctly 60% of the questions on any branch of the examination, the applicant is not entitled to a license.~~

~~(3)~~(2) The board may accept the grades an applicant has received in the examinations given by the national board of chiropractic examiners and may authorize the department to issue a license without further examination to an applicant who holds a valid certificate from the national board of chiropractic examiners if the applicant meets the other requirements of this chapter. The board may require an applicant to satisfactorily pass a clinical proficiency examination before being issued a license, even though the applicant holds a valid certificate from the national board of chiropractic examiners.""

Renumber: subsequent sections

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12. Page 16, line 5.

Following: line 4

Insert: "Section 21. Section 37-16-403, MCA, is amended to read:

"37-16-403. Examinations -- time and place -- number of failures allowed. (†) An applicant for a license who is notified by the department that the applicant has fulfilled the requirements of 37-16-402 shall appear at a time and place designated by the board to take written and practical examinations in order to demonstrate that the applicant is qualified to practice the fitting of hearing aids and related devices.

~~(2) An applicant who fails two successive practical examinations is eligible for reexamination after 2 years have elapsed since the date of the applicant's last examination and after the applicant has completed additional training or education recognized by the board."~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 162, introduced bill, be amended as follows:

1. Title, page 1, lines 7 and 8.

Strike: "IMMEDIATE" on line 7

Following: "DATE AND" on line 7

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

Insert: "AN"

2. Page 5, lines 5 through 7.

Strike: "retroactive " on line 5

Strike: "on" on line 5 through "2001" on line 7

Insert: "July 1, 2003, and applies to tax periods beginning on or after July 1, 2003"

And, as amended, do pass. Report adopted.

SB 172, introduced bill, be amended as follows:

1. Page 2, line 13.

Strike: "does"

Insert: "may"

2. Page 2, line 15.

Strike: "and does not"

Insert: "or to"

And, as amended, do pass. Report adopted.

SB 188, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Glaser, Chairman):

1/22/2003

SB 76, do pass. Report adopted.

SB 81, introduced bill, be amended as follows:

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1. Title, line 6 through line 7.

Strike: "A" on line 6 through "VETERAN" on line 7

Insert: "CERTAIN VETERANS"

2. Page 1, line 13.

Following: "a"

Insert: "current or former"

3. Page 1, line 15.

Following: "1947"

Insert: ", "

4. Page 1, line 16.

Strike: "or"

Following: "1953"

Insert: ", or during the Vietnam conflict from 1961 through 1975"

And, as amended, do pass. Report adopted.

SB 96, introduced bill, be amended as follows:

1. Page 2, line 8.

Following: "week."

Insert: "(1)"

2. Page 2.

Following: line 14

Insert: "(2) When proposing to adopt changes to a previously adopted school term, school week, or school day, the trustees shall:

(a) negotiate the changes with the recognized collective bargaining unit representing the employees affected by the changes; and

(b) solicit input from the employees affected by the changes but not represented by a collective bargaining unit."

And, as amended, do pass. Report adopted.

SB 97, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

1/23/2003

SB 78, do pass. Report adopted.

SB 206, do pass. Report adopted.

STATE ADMINISTRATION (Cobb, Chairman):

1/23/2003

SB 8, do pass. Report adopted.

SB 66, introduced bill, be amended as follows:

1. Title, page 1, line 5.

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Strike: "ELIMINATING THE REQUIREMENT THAT A MEMBER"

Insert: "REDUCING THE YEARS OF SERVICE REQUIRED BEFORE MEMBERS"

2. Title, page 1, line 6.

Following: "EMPLOYEES"

Insert: ", SHERIFFS', HIGHWAY PATROL OFFICERS', GAME WARDENS' AND PEACE OFFICERS', MUNICIPAL POLICE OFFICERS', AND FIREFIGHTERS' UNIFIED"

Strike: "SYSTEM" through "TO"

Insert: "SYSTEMS MAY"

3. Title, page 1, line 7.

Following: "SERVICE;"

Insert: "PROVIDING THAT MEMBERS OF THE JUDGES' RETIREMENT SYSTEM MAY PURCHASE MILITARY SERVICE;"

4. Title, page 1, line 8.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "19-3-503,"

Insert: "19-6-801, 19-7-803, 19-7-804, 19-8-901, 19-9-403, AND 19-13-403,"

Following: "AN"

Strike: "IMMEDIATE"

5. Page 1, line 15.

Strike: "vested"

Following: "credit"

Insert: "with at least 5 years of membership service"

6. Page 1.

Following: line 26

Insert: "Section 2. Section 19-6-801, MCA, is amended to read:

"**19-6-801. Application to purchase military service.** (1) Except as otherwise provided in this section and subject to 19-6-805, a an eligible member ~~with at least 15 years of service credit~~ may, at any time prior to retirement, file a written application with the board to purchase up to 5 years of the member's active service in the armed forces of the United States for the purpose of calculating retirement benefits.

(2) To purchase this military service:

(a) a member with at least 15 years of service credit and who is not covered by 19-6-710 shall contribute the amount determined by the board to be due based on the member's compensation and regular contribution rate in the member's 16th year for the 1st year purchased and, for each subsequent year purchased, an amount based on the member's compensation and contribution rate in each of as many years succeeding the member's 16th year as are required to complete the purchase, with regular interest from the date the member becomes eligible for this benefit to the date the purchase is complete. The member may not purchase more military service under this subsection (2)(a) than the member has service credit in excess of 15 years.

(b) a member with at least 5 years of membership service and who is covered by 19-6-710 shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.

(3) A member is not eligible to purchase military service under this section if the member:

(a) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;

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- (b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or
- (c) is eligible to receive credit for that service in any other retirement system or plan."

Insert: "Section 3. Section 19-7-803, MCA, is amended to read:

"19-7-803. Application to purchase military service. (1) Except as otherwise provided in this section and subject to 19-7-805, a member with at least ~~15~~ 5 years of membership service ~~credit~~ may, at any time prior to retirement, file a written application with the board to purchase up to 5 years of the member's active service in the armed forces of the United States for the purpose of calculating retirement benefits.

(2) To purchase this military service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.

(3) A member is not eligible to purchase military service under this section if the member:

(a) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;

(b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

(c) is eligible to receive credit for that service in any other retirement system or plan.

~~(4) Military service purchased under this section is not membership service and may not be used in determining the member's eligibility for a service retirement benefit."~~

Insert: "Section 4. Section 19-7-804, MCA, is amended to read:

"19-7-804. Application to purchase additional service. (1) Subject to 19-7-805, a member with at least 5 years of membership service may, at any time before retirement, file a written application with the board to purchase 1 additional year of service credit for each 5 years of membership service.

(2) To purchase service under this section, a member shall pay the actuarial cost of the service in the sheriffs' retirement system, as determined by the board, based on the system's most recent actuarial valuation.

~~(3) Service purchased under this section may not be used to qualify a member for the purchase of military service under 19-7-803.~~

~~(4)~~(3) Service purchased under this section must be credited for the purpose of meeting retirement eligibility and for calculating retirement benefits."

Insert: "Section 5. Section 19-8-901, MCA, is amended to read:

"19-8-901. Application to purchase military service. (1) (a) Except as otherwise provided in this section and subject to 19-8-906, a member with at least ~~15~~ 5 years of membership service ~~credit~~ may, at any time prior to retirement, file a written application with the board to purchase up to 5 years of the member's active service in the armed forces of the United States for the purpose of calculating retirement benefits.

(b) To purchase this military service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation as determined by the board.

(2) A member is not eligible to purchase military service under this section if the member:

(a) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;

(b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

(c) is eligible to receive credit for that service in any other retirement system or plan."

Insert: "Section 6. Section 19-9-403, MCA, is amended to read:

"19-9-403. Application to purchase military service. (1) Except as otherwise provided in this section and subject to 19-9-406, a member with at least ~~15~~ 5 years of membership service ~~credit~~ may, at any time prior to retirement, file a written application with the board to purchase up to 5 years of the member's active duty service in the armed forces of the United States for the purpose of calculating retirement benefits.

(2) To purchase this military service, the member shall pay the actuarial cost of the member's military service,

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based on the system's most recent actuarial valuation.

~~(3) The member may not purchase more military service than the member's years of membership service in excess of 15 years.~~

~~(4)(3)~~ A member is not eligible to purchase military service under this section if the member:

(a) has retired from active duty in the armed forces of the United States with a military retirement benefit based on that military service;

(b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

(c) is eligible to receive credit for that service in any other retirement system or plan."

Insert: "Section 7. Section 19-13-403, MCA, is amended to read:

"19-13-403. Application to purchase military service. (1) (a) Except as otherwise provided in this section and subject to 19-13-406, a member with at least ~~15~~ 5 years of membership service ~~credit~~ may, at any time prior to retirement, file a written application with the board to purchase up to 5 years of the member's active duty service in the armed forces of the United States for the purpose of calculating retirement benefits.

(b) To purchase this military service, the member shall pay the actuarial cost of the service, based on the system's most recent actuarial valuation.

~~(2) A member may not purchase more military service than the member's years of membership service in excess of 15 years.~~

~~(3)(2)~~ A member is not eligible to purchase military service under this section if the member:

(a) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;

(b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

(c) is eligible to receive credit for that service in any other retirement system or plan.

~~(4) Military service purchased under this section is not membership service and may not be used in determining the member's eligibility for a service retirement benefit."~~

Insert: "NEW SECTION. **Section 8. Application to purchase military service credit.** (1) Except as otherwise provided in this section and subject to [section 9], a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase up to 5 years of the member's active service in the armed forces of the United States for the purpose of calculating retirement benefits.

(2) To purchase this military service, the member shall pay the actuarial cost of the service, based on the system's most recent actuarial valuation.

(3) A member is not eligible to purchase military service under this section if the member:

(a) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;

(b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

(c) is eligible to receive credit for that service in any other retirement system or plan."

Insert: "NEW SECTION. **Section 9. Service purchase limitation.** A member may not purchase more than a combined total of 5 years of service under 19-5-409 and [section 8]."

Insert: "NEW SECTION. **Section 10. Codification instruction.** [Sections 8 and 9] are intended to be codified as an integral part of Title 19, chapter 5, part 4, and the provisions of Title 19, chapter 5, part 4, apply to [sections 8 and 9]."

7. Page 1, line 28.

Strike: "on passage and approval"

Insert: "July 1, 2003"

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And, as amended, do pass. Report adopted.

SB 110, do pass. Report adopted.

SB 165, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

1/22/2003

HB 15, introduced by Newman

HB 89, introduced by A. Olson

HB 108, introduced by A. Olson

HB 123, introduced by P. Clark

HB 128, introduced by Rice

HB 149, introduced by Hedges

HB 153, introduced by Ballantyne

HB 157, introduced by Haines

HB 159, introduced by Haines

HB 161, introduced by Matthews

HB 169, introduced by Keane

HB 188, introduced by Devlin

MOTIONS

HB 35 - Senator Mahlum moved **HB 35** be taken from the committee on Business and Labor and rereferred to the committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 251, introduced by Bales, Barkus, Black, Butcher, Curtiss, Esp, Perry, Ripley, Tash, Witt, Zook, referred to Fish and Game.

SB 252, introduced by Squires, Kitzenberg, Mahlum, Shea, Tropila, referred to State Administration.

SB 253, introduced by Elliott, referred to Fish and Game.

SB 254, introduced by Cooney, Mangan, McNutt, A. Olson, D. Ryan, Steinbeisser, Wilson, referred to Business and Labor.

SB 255, introduced by DePratu, Butcher, McNutt, referred to Taxation.

SB 256, introduced by Ellingson, Tester, Toole, Wanzenried, referred to Taxation.

SB 257, introduced by Cooney, referred to Judiciary.

SB 258, introduced by F. Thomas, Mood, R. Brown, Brueggeman, Keenan, Laszloffy, McNutt, Stapleton, referred to Legislative Administration.

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

HB 15, introduced by Newman (by request of the Department of Justice), referred to Judiciary.

HB 89, introduced by A. Olson (by request of the Department of Environmental Quality), referred to Natural Resources.

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HB 108, introduced by A. Olson, referred to State Administration.

HB 123, introduced by P. Clark (by request of the Department of Fish, Wildlife, and Parks), referred to Fish and Game.

HB 128, introduced by Rice, Devlin, referred to Agriculture, Livestock and Irrigation.

HB 149, introduced by Hedges, referred to Judiciary.

HB 153, introduced by Ballantyne (by request of the Office of Public Instruction), referred to Education and Cultural Resources.

HB 157, introduced by Haines (by request of the Department of Fish, Wildlife, and Parks), referred to Fish and Game.

HB 159, introduced by Haines (by request of the Department of Public Health and Human Services), referred to Business and Labor.

HB 161, introduced by Matthews (by request of the Department of Corrections), referred to Judiciary.

HB 169, introduced by Keane (by request of the State Auditor), referred to Business and Labor.

HB 188, introduced by Devlin (by request of the Department of Revenue), referred to Taxation.

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

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

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

SB 70 - Senator McNutt moved **SB 70** do pass. Motion carried with Senator Gebhardt voting nay.

SB 88 - Senator Bales moved **SB 88** do pass. Motion carried unanimously.

SB 103 - Senator Laible moved **SB 103** do pass. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 48

Nays: Bohlinger, Johnson.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 108 - Senator McNutt moved **SB 108** do pass. Motion carried unanimously.

SB 139 - Senator Shea moved **SB 139** do pass. Motion carried as follows:

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Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 46

Nays: Butcher, Curtiss, McGee, O'Neil.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 143 - Senator Bohlinger moved **SB 143** do pass. After discussion, Senator Thomas made a **substitute motion** that consideration of **SB 143** be passed for the day. Motion carried.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Ryan 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 39 passed as follows:

Yeas: Anderson, Barkus, Bohlinger, Butcher, Cooney, Cromley, DePratu, Ellingson, Elliott, Esp, Glaser, Grimes, Hansen, Johnson, Kitzenberg, Mahlum, Mangan, McCarthy, McGee, McNutt, Pease, Perry, Roush, Schmidt, Squires, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Toole, Wheat, Zook, Mr. President.

Total 35

Nays: Bales, Black, Cobb, Cocchiarella, Curtiss, Gebhardt, Harrington, Laible, Nelson, O'Neil, Ryan, Shea, Sprague, Tester, Tropila.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 94 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu,

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Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 111 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 49

Nays: McGee.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 117 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 132 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 3 adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Friday, January 24, 2003. Motion carried.

Senate adjourned at 3:05 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate