

**SENATE JOURNAL
58TH LEGISLATURE
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 4, 2003

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Keenan presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Esp, Shea and Toole, excused. Quorum present.

The presiding officer has authenticated the daily journal for the twenty-third legislative day.

Senator Toole present at this time.

REPORTS OF STANDING COMMITTEES

BILL REPORT

Correctly printed: **SB 319, SB 320.**

Signed by the President at 12:30 p.m., February 4, 2003: **SR 2.**

Signed by the Secretary of the Senate at 12:45 p.m., February 4, 2003: **SR 2.**

Examined by the sponsor and found to be correct: **SR 2.**

Delivered to the Secretary of State at 3:25 p.m., February 4, 2003: **SR 2.**

Correctly enrolled: **SB 258, SR 2.**

Examined by the sponsor and found to be correct: **SB 258.**

Signed by the Speaker at 3:10 p.m., February 4, 2003: **SB 258.**

Signed by the President at 3:00 p.m., February 4, 2003: **SB 258.**

Signed by the Secretary of the Senate at 3:00 p.m., February 4, 2003: **SB 258.**

Delivered to the Governor for approval at 3:17 p.m., February 4, 2003: **SB 258.**

AGRICULTURE, LIVESTOCK AND IRRIGATION (Bales, Chairman):

2/3/2003

HB 128, be concurred in. Report adopted.

BUSINESS AND LABOR (Mahlum, Chairman):

2/4/2003

SB 231, do pass. Report adopted.

SB 232, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2, line 13.

Following: line 12

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

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EDUCATION AND CULTURAL RESOURCES (Glaser, Chairman):
SB 120, introduced bill, be amended as follows:

2/4/2003

1. Title, line 10.

Following: "EFFECTIVE DATE"

Insert: ", "

Strike: "AND"

Following: "APPLICABILITY DATE"

Insert: ", AND A TERMINATION DATE"

2. Page 1, line 17.

Following: "personnel."

Insert: "(1)"

3. Page 1, line 25.

Following: "parties."

Insert: "(2) (a) A teacher, specialist, or superintendent who is employed by a school district through a contract with a private entity must:

(i) have at least 10 years of creditable service; and

(ii) have terminated active membership in the teachers' retirement system in accordance with the provisions of 19-20-304(1).

(b) No more than 100 persons may contract for employment under the provisions of this section at any one time."

4. Page 10.

Following: line 20

Insert: "NEW SECTION. Section 8. Termination. [This act] terminates June 30, 2007."

And, as amended, do pass. Report adopted.

HB 23, be concurred in. Report adopted.

FISH AND GAME (Sprague, Chairman):

1/30/2003

SJR 4, introduced joint resolution, be amended as follows:

1. Page 1, line 24 through line 25.

Following: "2000"

Strike: "and" on line 24 through "for" on line 25

Insert: ", 2001, and"

And, as amended, be adopted. Report adopted.

STATE ADMINISTRATION (Cobb, Chairman):

2/4/2003

SB 54, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "REMOVING"

Insert: "TRANSFERRING FROM THE GOVERNOR TO THE BOARD OF EXAMINERS"

Strike: "OF THE GOVERNOR"

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2. Title, page 1, line 6.

Following: "PRACTICES;"

Insert: "CLARIFYING THAT THE COMMISSIONER OF POLITICAL PRACTICES IS SUBJECT TO RECALL;"

3. Page 1, line 14.

Following: "(†)"

Insert: "(1)"

4. Page 1, line 22.

Insert: "(2) Prior to expiration of the term, the individual selected to serve as commissioner of political practices may be removed by the board of examiners, established in 2-15-1007, after informal proceedings pursuant to 2-4-604, if the board finds the commissioner to be incompetent, to have engaged in malfeasance, or to have neglected the commissioner's duties. The commissioner may request judicial review of the board's action. The commissioner is also subject to recall, pursuant to Title 2, chapter 16, part 6."

5. Page 2, line 14.

Following: "appointment"

Strike: ","

Insert: ". If a public officer or public employee is nominated, the person shall resign from the previous position prior to appointment."

6. Page 2, line 28.

Following: "not"

Insert: "purposely or knowingly"

7. Page 2, line 30.

Following: "any"

Strike: "activity"

Insert: "activities primarily intended"

8. Page 3, line 2.

Following: "(3)"

Strike: "purposely or knowingly"

And, as amended, do pass. Report adopted.

SB 252, do pass. Report adopted.

SB 262, introduced bill, be amended as follows:

1. Page 3, line 7.

Following: "followed"

Insert: "within 5 days"

And, as amended, do pass. Report adopted.

HB 35, be concurred in. Report adopted.

HB 44, be concurred in. Report adopted.

HB 167, be concurred in. Report adopted.

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MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

2/3/2003

HB 14, introduced by Shockley
HB 20, introduced by Golie
HB 30, introduced by Hurwitz
HB 32, introduced by Golie
HB 71, introduced by Waitschies
HB 80, introduced by Jackson
HB 87, introduced by Jent
HB 114, introduced by Jent
HB 115, introduced by Bookout-Reinicke
HB 135, introduced by Andersen
HB 137, introduced by Lange
HB 143, introduced by Lambert
HB 154, introduced by Lenhart
HB 155, introduced by Jent
HB 195, introduced by Younkin
HB 213, introduced by Gallik
HB 237, introduced by Brueggeman
HB 240, introduced by Shockley
HB 250, introduced by Morgan
HB 259, introduced by Maedje
HB 266, introduced by Jacobson

Senate bill concurred in and returned to the Senate:

2/4/2003

SB 258, introduced by F. Thomas

MOTIONS

SB 226 - Senator DePratu moved to pass consideration of **SB 226** on second reading this legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 321, introduced by Laible, referred to Natural Resources.
SB 322, introduced by Ellingson, Facey, referred to Judiciary.
SB 323, introduced by Grimes, referred to Education and Cultural Resources.
SB 324, introduced by Cocchiarella, referred to Business and Labor.
SB 325, introduced by McGee, referred to Local Government.
SB 326, introduced by McGee, referred to Local Government.
SB 327, introduced by Taylor, Johnson, Keenan, F. Thomas, referred to Energy and Telecommunications.

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

SJR 12, introduced by Mahlum, referred to Natural Resources.

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

HB 14, introduced by Shockley, referred to Judiciary.

HB 20, introduced by Golie, referred to Fish and Game.

HB 30, introduced by Hurwitz (by request of the Department of Transportation), referred to Highways and Transportation.

HB 32, introduced by Golie, referred to Fish and Game.

HB 71, introduced by Waitschies (by request of the Department of Transportation), referred to Highways and Transportation.

HB 80, introduced by Jackson, referred to Highways and Transportation.

HB 87, introduced by Jent (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

HB 114, introduced by Jent, Toole (by request of the Capitol Complex Advisory Council), referred to State Administration.

HB 115, introduced by Bookout-Reinicke (by request of the Department of Military Affairs), referred to State Administration.

HB 135, introduced by Andersen, referred to Education and Cultural Resources.

HB 137, introduced by Lange (by request of the Department of Fish, Wildlife, and Parks), referred to Fish and Game.

HB 143, introduced by Lambert (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 154, introduced by Lenhart (by request of the Teachers' Retirement Board), referred to Education and Cultural Resources.

HB 155, introduced by Jent (by request of the State Administration and Veterans' Affairs Interim Committee), referred to Judiciary.

HB 195, introduced by Younkin (by request of the Department of Transportation), referred to Judiciary.

HB 213, introduced by Gallik (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 237, introduced by Brueggeman, Wanzenried, referred to Highways and Transportation.

HB 240, introduced by Shockley, referred to Judiciary.

HB 250, introduced by Morgan, referred to Highways and Transportation.

HB 259, introduced by Maedje, referred to Highways and Transportation.

HB 266, introduced by Jacobson, Gallus, Galvin-Halcro, Glaser, Golie, Laslovich, Parker, B. Ryan, Story, Wilson, referred to Energy and Telecommunications.

**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 DePratu in the chair.

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

SB 65 - Senator Roush moved **SB 65** do pass. Motion carried unanimously.

SB 121 - Senator Glaser moved **SB 121** do pass. Motion carried unanimously.

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SB 238 - Senator Mangan moved **SB 238** do pass. Motion carried unanimously.

The Senate stood at ease.

SPECIAL ORDERS OF THE DAY

Members of the Carroll College Fighting Saints football team and their coaches were introduced to the Senate and Senator Cooney read the following Declaration honoring the Fighting Saints and their coaches.

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

WHEREAS, the Carroll College Fighting Saints football team are the 2002 National Champions, beating the Georgetown, Kentucky Tigers by a score of 28-7 in the national championship game; and

WHEREAS, the Saints amassed a season record of 12-2 including wins over Dickenson State, Southern Oregon, and Sioux Falls; and

WHEREAS, the team included 3 NAIA national All-American Scholar Athletes, 4 recipients of NAIA All-American honors and a national Offensive Player of the Week; and

WHEREAS, Carroll College was recognized in 2002 by the NAIA as a Champion of Character institution emphasizing the five core values of respect, integrity, responsibility, leadership and sportsmanship; and

WHEREAS, 22 players received Academic All-Conference honors; and

WHEREAS, Coach Mike Van Diest was recognized by Don Hansen's Weekly Football Gazette as National Coach of the Year.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that the congratulations of all Montanans be extended to the Carroll College Fighting Saints for their hard work and commitment to their sport and their school.

Senator Bob Keenan
President of the Senate

Representative Doug Mood
Speaker of the House

Senate resumed.

SB 274 - Senator Cocchiarella moved **SB 274**, second reading copy, be amended as follows :

1. Page 1, line 12.

Following: "privacy"

Insert: ", except for a woman's right of individual privacy,"

2. Page 1, line 22.

Following: "FOR"

Insert: "allowing infringement of a woman's individual privacy right by"

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3. Page 1, line 23.

Following: "AGAINST"

Insert: "allowing infringement of a woman's individual privacy right by"

Amendment **not** adopted as follows:

Yeas: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Johnson, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Squires, Stonington, Toole, Wheat.

Total 19

Nays: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Curtiss, DePratu, Gebhardt, Glaser, Grimes, Kitzenberg, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Tester, Thomas, Tropila, Zook, Mr. President.

Total 29

Absent or not voting: None.

Total 0

Excused: Esp, Shea.

Total 2

SB 274, requiring 2/3 of entire Legislature - Senator McGee moved **SB 274** do pass. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Gebhardt, Glaser, Grimes, Kitzenberg, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Tropila, Zook, Mr. President.

Total 27

Nays: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Johnson, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Squires, Stonington, Tester, Toole, Wheat.

Total 21

Absent or not voting: None.

Total 0

Excused: Esp, Shea.

Total 2

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman DePratu moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Tropila, Zook, Mr. President.

Total 28

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Nays: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Squires, Stonington, Tester, Toole, Wheat.
Total 20

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

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 101 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Ellingson, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: Cooney, Elliott.
Total 2

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

SB 222 passed as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, O'Neil, Pease, Perry, Roush, Ryan, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Wheat, Zook, Mr. President.
Total 40

Nays: Bales, Cooney, Cromley, Curtiss, Nelson, Schmidt, Toole, Tropila.
Total 8

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

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HB 16 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 25 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: Butcher, O'Neil.
Total 2

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 34 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: O'Neil.
Total 1

Absent or not voting: None.
Total 0

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Excused: Esp, Shea.
Total 2

HB 38 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 39 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 46, requiring 2/3 of each House, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Stapleton.
Total 1

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Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 48 concurred in as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 44

Nays: Bales, Butcher, Cromley, O'Neil.
Total 4

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 68 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook.
Total 45

Nays: McGee, Stapleton, Mr. President.
Total 3

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 69 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

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Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 78 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 84 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 106, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum,

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Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 132 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

HB 162 concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 46

Nays: Elliott, Gebhardt.
Total 2

Absent or not voting: None.
Total 0

Excused: Esp, Shea.
Total 2

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ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Wednesday, February 5, 2003. Motion carried.

Senate adjourned at 3:08 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate