

**SENATE JOURNAL
58TH LEGISLATURE
THIRTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 19, 2003

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Keenan presiding. Invocation by Bishop Richard Omland of the Montana Synod Evangelical Lutheran Church of America. Pledge of Allegiance to the Flag.

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

The presiding officer has authenticated the daily journal for the thirty-sixth legislative day.

SPECIAL ORDERS OF THE DAY

Monte, the Grizzly mascot from the University of Montana, visited the Senate and displayed some of the tactics that won him the title of Capital One National Mascot of the Year. The man behind the fur grew up on a ranch outside of Terry, Montana before moving to Miles City, where he graduated high school in 1997. The mystery man then accepted an acting scholarship to the University of Montana where he received his degree in 2001.

REPORTS OF STANDING COMMITTEES

Correctly printed: **SB 432, SB 433, SB 434, SB 435.**

Correctly engrossed: **SB 210, SB 247, SB 295, SB 308, SB 344, SB 355, SB 356, SB 364, SB 383, SJR 18.**

BUSINESS AND LABOR (Mahlum, Chairman):
SB 254, introduced bill, be amended as follows:

2/18/2003

1. Page 3, line 9.
Strike: "personal"

2. Page 3, lines 17 and 18.
Strike: subsection (4) in its entirety

And, as amended, do pass. Report adopted.

SB 270, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 10.
Following: "TO" on line 5
Strike: remainder of line 5 through "CLARIFYING" on line 10
Insert: "CLARIFY"

2. Title, page 1, line 15.
Following: "CONTRACTOR;"
Insert: "REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY TO APPOINT AN INTERIM ADVISORY COMMITTEE TO STUDY ISSUES RELATED TO INDEPENDENT CONTRACTORS AND TO MAKE RECOMMENDATIONS TO THE 59TH LEGISLATURE;"

3. Page 4, line 19 through line 21.
Following: "department" on line 19

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Strike: remainder of line 19 through "department" on line 21

4. Page 4, lines 27 and 28.

Following: "approval" on line 27

Strike: "unless" through "(3)(b)" on line 28

5. Page 5, line 1.

Strike: ", along" through "(3)(b),"

6. Page 6, line 7.

Following: line 6

Insert: "NEW SECTION. Section 3. Study of independent contractor exemption. (1) The commissioner of labor and industry shall appoint an advisory committee that will serve on a volunteer basis to define the term "independent contractor" and study the issues related to exemptions of independent contractors from coverage under the Workers' Compensation Act.

(2) The advisory committee must consist of:

(a) members representing business and community interests;

(b) members representing workers' compensation insurers;

(c) members representing building contractors;

(d) members representing labor organizations; and

(e) a representative from the department of labor and industry.

(3) The committee is exempt from the requirements of 2-15-122 or 2-15-124.

(4) The department of labor and industry shall periodically report its findings and progress to the economic affairs interim committee, including any recommendations for proposed legislation to the 59th legislature regarding independent contractors."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 275, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Strike: "ON"

Insert: "WITHIN 5 DAYS OF"

2. Title, page 1, line 12 through line 14.

Following: "THAT"

Strike: remainder of line 12 through "PERSON" on line 14

Insert: "MONEY PAID UNDER TITLE 53 TO PROVIDERS OF GOODS AND SERVICES IS EXEMPT FROM LEVY OR OTHER LEGAL PROCEEDINGS"

3. Page 4, line 13.

Strike: "on"

Insert: "within 5 days of"

4. Page 7, line 25.

Following: "title"

Strike: "and in subsection (2)"

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Following: "granted"

Insert: "to a needy person"

5. Page 7, line 28.

Following: "title"

Insert: "to a person or entity who is not a needy person but who receives the money for providing goods or services to a needy person"

6. Page 7, lines 29 and 30.

Following: "process" on line 29

Strike: remainder of line 29 through "person" on line 30

And, as amended, do pass. Report adopted.

SB 306, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "PENALTIES;"

Insert: "REQUIRING PAYMENT OF A \$200 BIENNIAL REGISTRATION OR RENEWAL FEE;"

2. Title, page 1, line 8.

Strike: the second "AND"

3. Title, page 1, line 9.

Following: "AGENT"

Insert: "; PROVIDING RULEMAKING AUTHORITY TO THE DEPARTMENT OF LABOR AND INDUSTRY; AND AMENDING SECTION 37-1-401, MCA"

4. Page 1, line 13.

Strike: "19"

Insert: "20"

5. Page 1, line 16.

Strike: "19"

Insert: "20"

6. Page 1, line 29.

Strike: subsection (4) in its entirety

ReNUMBER: subsequent subsections

7. Page 2, line 2.

Following: line 1

Insert: "(5) "Department" means the department of labor and industry provided for in 2-15-1701."

ReNUMBER: subsequent subsections

8. Page 2, line 16.

Strike: "19"

Insert: "20"

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9. Page 2, line 26.

Strike: "board"

Insert: "department"

10. Page 2, line 27.

Strike: "19"

Insert: "20"

11. Page 3, line 12.

Strike: "board" in two places

Insert: "department" in two places

12. Page 4, line 17.

Strike: "board"

Insert: "department"

13. Page 4, line 26.

Strike: "board"

Insert: "department"

14. Page 4, line 28.

Strike: "board" in two places

Insert: "department" in two places

15. Page 4, line 30.

Strike: "board"

Insert: "department"

16. Page 5, line 14.

Strike: "board"

Insert: "department"

17. Page 5, line 19.

Strike: "board"

Insert: "department"

18. Page 5, line 24.

Strike: "board"

Insert: "department"

19. Page 6, line 3.

Strike: "board"

Insert: "department"

20. Page 6, line 6.

Strike: "board"

Insert: "department"

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21. Page 6, line 9.

Strike: "board"

Insert: "department"

22. Page 6, line 12.

Following: "fees."

Insert: "(1)"

23. Page 6, line 13.

Following: "fee"

Strike: remainder of line 13 through "renewal" on line 14

Insert: "of \$200"

24. Page 6, line 15.

Following: line 14

Insert: "(2) All fees and money received by the department must be deposited in a state special revenue account for use by the department in performing the duties required by [sections 1 through 20]."

25. Page 8, line 8.

Strike: "board"

Insert: "department"

26. Page 8, line 20.

Strike: "19"

Insert: "20"

27. Page 9, line 5.

Strike: "19"

Insert: "20"

28. Page 9, line 9.

Strike: "19"

Insert: "20"

29. Page 9, line 18.

Strike: "19"

Insert: "20"

30. Page 9, line 21.

Strike: "board"

Insert: "department"

31. Page 9, line 22.

Strike: "19"

Insert: "20"

32. Page 9, line 25.

Strike: "19"

Insert: "20"

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33. Page 9, line 26.

Strike: "19"

Insert: "20"

34. Page 9, line 29.

Strike: "19"

Insert: "20"

35. Page 10, line 3.

Following: line 2

Insert: "NEW SECTION. Section 20. Rulemaking authority. The department may establish rules to administer and enforce [sections 1 through 20]."

Insert: "**Section 21.** Section 37-1-401, MCA, is amended to read:

"37-1-401. Uniform regulation for licensing programs without boards -- definitions. As used in this part, the following definitions apply:

(1) "Complaint" means a written allegation filed with the department that, if true, warrants an injunction, disciplinary action against a licensee, or denial of an application submitted by a license applicant.

(2) "Department" means the department of labor and industry provided for in 2-15-1701.

(3) "Investigation" means the inquiry, analysis, audit, or other pursuit of information by the department, with respect to a complaint or other information before the department, that is carried out for the purpose of determining:

(a) whether a person has violated a provision of law justifying discipline against the person;

(b) the status of compliance with a stipulation or order of the department;

(c) whether a license should be granted, denied, or conditionally issued; or

(d) whether the department should seek an injunction.

(4) "License" means permission in the form of a license, permit, endorsement, certificate, recognition, or registration granted by the state of Montana to engage in a business activity or practice at a specific level in a profession or occupation governed by:

(a) Title 37, chapter 35 or 72, or [sections 1 through 20]; or

(b) Title 50, chapter 39, 74, or 76.

(5) "Profession" or "occupation" means a profession or occupation regulated by the department under the provisions of:

(a) Title 37, chapter 35 or 72, or [sections 1 through 20]; or

(b) Title 50, chapter 39, 74, or 76."

Renumber: subsequent sections

36. Page 10, line 4.

Strike: "19"

Insert: "20"

37. Page 10, line 5.

Strike: "23" in two places

Insert: "37" in two places

Strike: "19"

Insert: "20"

And, as amended, do pass. Report adopted.

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HIGHWAYS AND TRANSPORTATION (Butcher, Chairman): 2/19/2003
SB 345, do pass. Report adopted.

JUDICIARY (Grimes, Chairman): 2/19/2003
SB 400, do pass. Report adopted.

LOCAL GOVERNMENT (Bohlinger, Chairman): 2/19/2003
SB 326, introduced bill, be amended as follows:

1. Title, line 12 through line 13.
Strike: "REQUIRING" on line 12 through ";" on line 13

2. Page 5, line 19.
Strike: "shall"
Insert: "may"

And, as amended, do pass. Report adopted.

SB 340, introduced bill, be amended as follows:

1. Page 1, line 24.
Strike: "required"
Insert: "authorized"

And, as amended, do pass. Report adopted.

SB 343, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "ALL"
Insert: "85 PERCENT"

2. Title, line 5.
Following: "DISTRICT;"
Insert: "PROHIBITING CREATION OF A DISTRICT IF FREEHOLDERS REPRESENTING 35 PERCENT OF THE TITLED PROPERTY OWNERSHIP PROTEST A DISTRICT'S ESTABLISHMENT;"

3. Page 1, line 12.
Strike: "all"
Insert: "85%"

4. Page 1, line 22.
Strike: "50%"
Insert: "35%"

And, as amended, do pass. Report adopted.

SB 384, do pass. Report adopted.
SB 393, do pass. Report adopted.

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MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 2/18/2003

HB 97, introduced by Jent
HB 262, introduced by Fuchs
HB 390, introduced by Gallik
HB 433, introduced by P. Clark
HB 443, introduced by Lange
HB 511, introduced by Everett

House joint resolution passed and transmitted to the Senate for concurrence: 2/18/2003

HJR 8, introduced by Juneau

MOTIONS

SB 381 - Senator Tash moved **SB 381** be taken from the committee on Natural Resources and rereferred to the committee on Agriculture, Livestock and Irrigation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 436, introduced by Shea, Anderson, Bales, Black, Curtiss, Esp, Forrester, Gallus, Gebhardt, Keane, Keenan, Laible, Laszloffy, Lenhart, Matthews, McCarthy, McGee, McNutt, Mendenhall, O'Neil, A. Olson, Pattison, Perry, Sprague, Stapleton, Tash, F. Thomas, referred to Natural Resources.
SB 437, introduced by Bales, Curtiss, Laible, Lambert, McGee, A. Olson, Ross, Shea, F. Thomas, referred to Natural Resources.
SB 438, introduced by DePratu, referred to Judiciary.
SB 439, introduced by Grimes, referred to Judiciary.
SB 440, introduced by Butcher, Taylor, Tester, referred to Agriculture, Livestock and Irrigation.
SB 441, introduced by D. Ryan, referred to Education and Cultural Resources.

**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 Johnson in the chair.

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

SB 183 - Senator Bohlinger moved **SB 183** do pass. Motion carried as follows:

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

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Total 44

Nays: Anderson, Butcher, Esp, Laible, Story.

Total 5

Absent or not voting: None.

Total 0

Excused: Pease.

Total 1

SB 243 - Senator Wheat moved **SB 243** do pass. Motion carried unanimously.

SB 295 - Senator Butcher moved **SB 295** do pass. Motion **failed** as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Mahlum, McGee, McNutt, O'Neil, Perry, Stapleton, Story, Tash, Taylor, Thomas, Mr. President.

Total 24

Nays: Bohlinger, Cobb, Cocchiarella, Cooney, Ellingson, Elliott, Hansen, Harrington, Kitzenberg, Laible, Mangan, McCarthy, Nelson, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Tester, Toole, Tropila, Wheat, Zook.

Total 25

Absent or not voting: None.

Total 0

Excused: Pease.

Total 1

SB 344 - Senator Laible moved **SB 344** do pass. Motion carried 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 48

Nays: McGee.

Total 1

Absent or not voting: None.

Total 0

Excused: Pease.

Total 1

SB 356 - Senator Grimes moved **SB 356** do pass. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes,

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Johnson, Mahlum, McGee, Nelson, O'Neil, Perry, Sprague, Tash, Taylor, Tester, Thomas, Zook, Mr. President.
Total 26

Nays: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Kitzenberg, Laible, Mangan, McCarthy, McNutt, Roush, Ryan, Schmidt, Shea, Squires, Stapleton, Stonington, Story, Toole, Tropila, Wheat.
Total 23

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

SB 383 - Senator Bales moved **SB 383** do pass. Motion carried unanimously.

Senator Cobb and Mangan excused at this time.

SB 398 - Senator Cromley moved **SB 398** do pass. Motion carried as follows:

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

Nays: McGee.
Total 1

Absent or not voting: None.
Total 0

Excused: Cobb, Mangan, Pease.
Total 3

Senators Cobb and Mangan present at this time.

SB 235 - Senator Bohlinger moved **SB 235** do pass. Motion carried as follows:

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

Nays: Cooney, Ellingson, Esp, Schmidt, Squires, Stonington, Tash, Toole, Tropila.
Total 9

Absent or not voting: None.
Total 0

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Excused: Pease.
Total 1

SB 295 - Senator Harrington moved **SB 295** be **indefinitely postponed**. Motion **failed** as follows:

Yeas: Cobb, Cocchiarella, Cooney, Ellingson, Elliott, Esp, Hansen, Harrington, Mangan, McCarthy, Nelson, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Tropila, Wheat.
Total 21

Nays: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cromley, Curtiss, DePratu, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 28

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

SJR 10 - Senator O'Neil moved **SJR 10** be adopted. Motion **failed** as follows:

Yeas: Anderson, Bales, Butcher, Cromley, Curtiss, Gebhardt, McGee, O'Neil, Taylor.
Total 9

Nays: Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, DePratu, Ellingson, Elliott, Esp, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 40

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

SJR 10 - Senator Thomas moved **SJR 10** be **indefinitely postponed**. Motion carried as follows:

Yeas: Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Elliott, Esp, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, Perry, Roush, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 39

Nays: Anderson, Bales, Butcher, Curtiss, Gebhardt, Mangan, O'Neil, Ryan, Taylor, Tester.
Total 10

Absent or not voting: None.
Total 0

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Excused: Pease.
Total 1

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Johnson 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 204, requiring 2/3 of entire Legislature, received the following vote:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, Perry, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Wheat, Zook, Mr. President.
Total 38

Nays: Butcher, Cooney, Cromley, Ellingson, Elliott, Johnson, O'Neil, Schmidt, Tester, Toole, Tropila.
Total 11

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

SB 316 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HB 22 concurred in 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,

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McCarthy, McNutt, Nelson, O'Neil, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook.
Total 46

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

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HB 51 concurred in 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HB 80 concurred in 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HB 112 concurred in as follows:

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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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 48

Nays: Taylor.
Total 1

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HB 121 concurred in 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HB 151 concurred in 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

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HB 406 concurred in 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

HJR 6 concurred in 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, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

MOTIONS

SB 341- Senator Thomas moved he be allowed to add Grimes as sponsor to **SB 341**. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Thursday, February 20, 2003. Motion carried.

Senate adjourned at 3:32 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate