

**SENATE JOURNAL
58TH LEGISLATURE
FORTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 28, 2003

Senate Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

The presiding officer has authenticated the daily journal for the forty-fourth legislative day.

MOTIONS

SB 451 - Senator Esp moved **SB 451** be taken from third reading and rereferred to the committee on Finance and Claims. Motion carried as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Shea, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 30

Nays: Cooney, Ellingson, Elliott, Hansen, Harrington, Johnson, Kitzenberg, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Squires, Stonington, Tester, Toole, Tropila, Wheat.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

FIRST READING AND COMMITMENT OF BILLS

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

HB 127, introduced by Fritz (by request of the Department of Administration), referred to Judiciary.

HB 289, introduced by Newman, Parker, referred to Judiciary.

HB 302, introduced by Lewis, Ballantyne, Barrett, Becker, Bixby, Branae, Brueggeman, Callahan, Carney, P. Clark, Cocchiarella, Cohenour, Cyr, Devlin, Dowell, Ellingson, Elliott, Erickson, Facey, Forrester, Gallik, Gallus, Gibson, Gillan, Golie, Grimes, Harrington, Hawks, Hedges, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Kitzenberg, Lange, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Mangan, Matthews, McGee, McKenney, McNutt, Mood, Nelson, Newman, Noennig, A. Olson, B. Olson, Pease, Peterson, Raser, Ripley, Rome, Ross, Roush, B. Ryan, D. Ryan, Schrupf, Shea, Shockley, Small-Eastman, Smith, Sprague, Steinbeisser, B. Thomas, Toole, Tropila, Tropila, Wanzenried, Witt., referred to Education and Cultural Resources.

HB 431, introduced by Lawson, referred to State Administration.

HB 467, introduced by Barrett, Anderson, Curtiss, Mendenhall, A. Olson, Peterson, Tash, referred to Natural Resources.

HB 468, introduced by Gillan, Branae, Cooney, Ellingson, Erickson, Fuchs, Gibson, Mahlum, Nelson, Schmidt, referred to State Administration.

HB 481, introduced by Lewis, E. Clark, referred to Finance and Claims.

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HB 482, introduced by Forrester, Glaser, referred to Business and Labor.

HB 509, introduced by A. Olson, Dowell, Forrester, Gebhardt, Gillan, Golie, Laslovich, Mahlum, Mangan, Matthews, McCarthy, McNutt, Shea, Witt, referred to Energy and Telecommunications.

HB 518, introduced by Lindeen, Barkus, Brueggeman, Cooney, Laible, Sinrud (by request of the House Joint Appropriations Subcommittee on General Government and Transportation), referred to State Administration.

HB 523, introduced by Balyeat, Bookout-Reinicke, Everett, Harris, Hurwitz, Kaufmann, Lake, Rice, Schruppf, Sinrud, Wagman, Waitschies, referred to State Administration.

HB 540, introduced by Gallik, Cohenour, Harris, Jayne, Jent, Juneau, Laslovich, Parker, referred to Judiciary.

HB 542, introduced by Franklin, Becker, Brueggeman, Cooney, Fritz, Gillan, Keenan, Kitzenberg, Lewis, Mood, Roberts, D. Ryan, Squires, Stapleton, Tester, Wanzenried, referred to Public Health, Welfare and Safety.

HB 564, introduced by Lindeen, Ballantyne, Becker, Bergren, Black, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Cocchiarella, Cohenour, Cyr, DePratu, Dickenson, Dowell, Facey, Franklin, Gibson, Gillan, Golie, Johnson, Juneau, Kaufmann, Keane, Keenan, Laslovich, Laszloffy, Mahlum, Mangan, Matthews, McKenney, Mood, Musgrove, Newman, Pattison, Raser, Ripley, Sinrud, Story, Tester, F. Thomas, Wanzenried, Weiss, Wilson, referred to Finance and Claims.

HB 571, introduced by Parker, Gallik, Harris, Keane, B. Ryan, referred to Energy and Telecommunications.

HB 583, introduced by R. Brown, referred to Local Government.

HB 588, introduced by Matthews, referred to Business and Labor.

HB 609, introduced by Windy Boy, Ballantyne, Becker, Bergren, Bixby, Callahan, P. Clark, Cyr, Dickenson, Dowell, Franklin, Fritz, Gillan, Hansen, Hedges, Jacobson, Jayne, Jent, Juneau, Lambert, Laslovich, Musgrove, Newman, Pease, Raser, Roush, Small-Eastman, Smith, Wanzenried, Weiss, referred to State Administration.

HB 640, introduced by Haines, referred to Local Government.

HB 648, introduced by Younkin, referred to Public Health, Welfare and Safety.

HB 667, introduced by Harris, Branae, Callahan, Cohenour, Cyr, Dowell, Erickson, Forrester, Fritz, Gallik, Gallus, Gibson, Gutsche, Jacobson, Jent, Laslovich, Lenhart, Mood, Raser, B. Ryan, Smith, Wanzenried, Weiss, Wilson, Windy Boy, referred to Taxation.

HB 669, introduced by Younkin, referred to Natural Resources.

HB 679, introduced by Steinbeisser, referred to Finance and Claims.

HB 681, introduced by E. Clark, referred to Public Health, Welfare and Safety.

HB 689, introduced by A. Olson, Brueggeman, referred to State Administration.

HB 693, introduced by Sinrud, referred to Public Health, Welfare and Safety.

HB 700, introduced by Brueggeman, Laible, McCarthy, A. Olson, Shea, Tash, referred to Natural Resources.

HB 703, introduced by Parker, Harris, referred to Public Health, Welfare and Safety.

HB 710, introduced by Raser, referred to Energy and Telecommunications.

HB 711, introduced by Gallus, referred to Highways and Transportation.

HB 719, introduced by A. Olson, Brueggeman, Forrester, Gallus, Gebhardt, Keenan, Mangan, Mood, Ripley, Shea, Sinrud, F. Thomas, Wilson, Witt, Younkin, referred to State Administration.

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

HJR 30, introduced by Windy Boy, Bergren, Callahan, P. Clark, Cyr, Dickenson, Dowell, Erickson, Fritz, Gibson, Golie, Hansen, Jacobson, Jayne, Jent, Juneau, Keenan, Pease, Raser, Roush, Small-Eastman, Wanzenried, referred to State Administration.

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 46 passed as follows:

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Yeas: Bales, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Gebhardt, Hansen, Harrington, Johnson, Kitzenberg, Mahlum, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Shea, Squires, Stapleton, Stonington, Story, Taylor, Tester, Toole, Tropila, Wheat, Zook.

Total 36

Nays: Anderson, Barkus, DePratu, Glaser, Grimes, Laible, McGee, McNutt, O'Neil, Perry, Sprague, Tash, Thomas, Mr. President.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 277 passed as follows:

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

Total 42

Nays: Cooney, Ellingson, Harrington, Mangan, McCarthy, Ryan, Tester, Toole.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 314 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Ellingson, Elliott, Gebhardt, 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 45

Nays: Butcher, Esp, Glaser, McGee, O'Neil.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 330 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Cocchiarella, Cooney, Cromley, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Kitzenberg, Mahlum, Mangan, McCarthy, Nelson, O'Neil, Pease, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Story, Tash, Taylor, Tropila, Wheat, Zook.

Total 34

Nays: Bohlinger, Butcher, Cobb, Curtiss, Ellingson, Johnson, Laible, McGee, McNutt, Perry, Stapleton, Stonington, Tester, Thomas, Toole, Mr. President.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 341 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

SB 349 passed as follows:

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

Total 47

Nays: Hansen, Roush, Tester.

Total 3

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

SB 359 passed as follows:

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

Nays: Curtiss, O'Neil.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 370 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

SB 375 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Elliott, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 43

Nays: Cobb, Ellingson, Esp, Gebhardt, McGee, O'Neil, Story.
Total 7

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Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 386 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Tropila, Zook, Mr. President.
Total 42

Nays: Cooney, Ellingson, Harrington, Squires, Stonington, Tester, Toole, Wheat.
Total 8

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 387 passed as follows:

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

Nays: Gebhardt, Stapleton.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 392 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Laible, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Perry, Roush, Ryan, Shea, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Zook.
Total 34

Nays: Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Kitzenberg, Mahlum, Pease, Schmidt, Sprague, Toole, Tropila, Wheat, Mr. President.

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Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 394 passed as follows:

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

Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 395 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Hansen, Johnson, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Zook, Mr. President.

Total 35

Nays: Cocchiarella, Cooney, Ellingson, Elliott, Harrington, Kitzenberg, Mangan, McCarthy, Nelson, Pease, Schmidt, Squires, Toole, Tropila, Wheat.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 402 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, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 48

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Nays: O'Neil, Stapleton.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 415 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, Thomas, Toole, Wheat, Zook, Mr. President.
Total 48

Nays: Tester, Tropila.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 422 passed as follows:

Yeas: Bales, Black, Bohlinger, Butcher, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Gebhardt, Hansen, Kitzenberg, Laible, Mahlum, McGee, McNutt, Nelson, Pease, Perry, Roush, Shea, Sprague, Stapleton, Stonington, Taylor, Tester, Toole, Tropila.
Total 29

Nays: Anderson, Barkus, Cobb, Curtiss, DePratu, Glaser, Grimes, Harrington, Johnson, Mangan, McCarthy, O'Neil, Ryan, Schmidt, Squires, Story, Tash, Thomas, Wheat, Zook, Mr. President.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 428 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Taylor, Thomas, Zook, Mr. President.
Total 27

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Nays: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Tash, Tester, Toole, Tropila, Wheat.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 429 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Laible, Mahlum, McGee, McNutt, O'Neil, Perry, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Zook, Mr. President.
Total 27

Nays: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, Nelson, Pease, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Tropila, Wheat.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 430 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

SB 441 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, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook.

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Total 47

Nays: Laible, Taylor, Mr. President.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 442 passed as follows:

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

Total 40

Nays: Anderson, Butcher, Cobb, Curtiss, Esp, Kitzenberg, Laible, McGee, O'Neil, Story.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 444 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

SB 449 passed as follows:

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

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McNutt, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat.
Total 45

Nays: Bales, Curtiss, McGee, Zook, Mr. President.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 450 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Gebhardt, Glaser, Grimes, Hansen, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Toole, Tropila, Zook, Mr. President.
Total 41

Nays: Cromley, Ellingson, Esp, Harrington, McGee, Nelson, Squires, Tester, Wheat.
Total 9

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 456 passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, DePratu, Elliott, Esp, Glaser, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Perry, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Stonington, Story, Taylor, Tester, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 42

Nays: Ellingson, Gebhardt, Grimes, Mahlum, Pease, Schmidt, Tash, Toole.
Total 8

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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SJR 25 adopted as follows:

Yeas: Anderson, Bales, Barkus, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, 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, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

Total 46

Nays: Black, Butcher, Curtiss, Stapleton.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJR 26 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

SJR 27 adopted as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, 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 49

Nays: Cromley.

Total 1

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

MOTIONS

SB 46 - Senator Ryan moved he be allowed to change his vote on **SB 46**, third reading, from nay to yea. Motion carried.

SB 46 - Senator DePratu moved he be allowed to change his vote on **SB 46**, third reading, from yea to nay. Motion carried.

SB 450 - Senator Tester moved he be allowed to change his vote on **SB 450**, third reading, from yea to nay. Motion carried.

SB 429 - Senator Tash moved he be allowed to change his vote on **SB 429**, third reading, from nay to yea. Motion carried.

SB 46 - Senator O'Neil moved he be allowed to change his vote on **SB 46**, third reading, from yea to nay. Motion carried.

SPECIAL ORDERS OF THE DAY

Senator Stapleton introduced the Senate pages, gave a brief overview of their activities and future plans, and thanked them for their superior service through this hectic transmittal week.

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

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

Senate adjourned at 8:49 a.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate