

**SENATE JOURNAL  
58TH LEGISLATURE  
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
March 11, 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. Quorum present.

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

**REPORTS OF STANDING COMMITTEES**

Correctly printed: **SB 470**.

Correctly engrossed: **HB 154, HB 156, HB 210, HB 305, HJR 9**.

Correctly enrolled: **SB 41, SB 42, SB 43**.

Examined by the sponsor and found to be correct: **SB 41, SB 42, SB 43**.

**BUSINESS AND LABOR** (Mahlum, Chairman):  
**HB 104**, be amended as follows:

3/11/2003

1. Title, page 1, line 11.

**Strike:** "LARGE"

2. Page 1, line 22.

**Following:** "with"

**Strike:** "more than 50"

**Insert:** "at least 51"

3. Page 2, line 8.

**Strike:** "large"

4. Page 2, line 10.

**Following:** line 9

**Insert:** "(b) Rates for voluntary purchasing pool groups must be set pursuant to the provisions of 33-22-1809."

**Renumber:** subsequent subsection

And, as amended, be concurred in. Report adopted.

**HB 110**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "VISIT;"

**Insert:** "PROVIDING THAT A WORKER IS NOT RESPONSIBLE FOR THE COST OF A SUBSEQUENT VISIT TO AN EMERGENCY DEPARTMENT FOR TREATMENT REQUESTED BY AN INSURER;"

2. Page 4.

**Following:** line 13

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**Insert:** "(c) A worker is not responsible for the cost of a subsequent visit pursuant to subsection (7)(a) if the visit is for treatment requested by an insurer."

And, as amended, be concurred in. Report adopted.

**HB 117**, be concurred in. Report adopted.

**HB 403**, be amended as follows:

1. Title, page 1, lines 4 and 5.

**Following:** "A" on line 4

**Insert:** "GENERAL"

**Following:** "CONTRACTOR" on line 4

**Strike:** remainder of line 4 through "EMPLOYER" on line 5

2. Page 1, lines 15 and 16.

**Following:** "a" on line 15

**Insert:** "general"

**Following:** "contractor" on line 15

**Strike:** remainder of line 15 through "employer" on line 16

3. Page 1, line 23.

**Following:** "If"

**Strike:** "there" through "and"

4. Page 1, line 24.

**Following:** "a"

**Insert:** "general"

**Following:** "the"

**Strike:** "contractor's"

**Following:** "workers"

**Insert:** "on the project"

5. Page 1, lines 26 and 27.

**Following:** "residents" on line 26

**Strike:** remainder of line 26 through the second "residents" on line 27

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Grimes, Chairman):

3/11/2003

**HB 161**, be amended as follows:

1. Page 1, line 14.

**Following:** "hearing"

**Insert:** ", unless a hearing is waived as provided in subsection (3),"

2. Page 1, line 16.

**Following:** "earlier"

**Strike:** "unless the youth, upon advice of an attorney, waives the youth's right to a hearing"

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3. Page 2, line 17.

**Following:** the first "youth"

**Strike:** "signs a"

**Insert:** "acknowledges, either during the hearing or by written"

**Following:** "waiver"

**Strike:** "of the hearing that acknowledges"

**Insert:** ", upon advice of an attorney,"

And, as amended, be concurred in. Report adopted.

**HB 166**, be concurred in. Report adopted.

**NATURAL RESOURCES** (Tash, Chairman):

3/11/2003

**HB 89**, be concurred in. Report adopted.

**HB 144**, be concurred in. Report adopted.

**HB 292**, be amended as follows:

1. Page 1, line 17 through line 18.

**Following:** "property" on line 17

**Strike:** "or" on line 17 through "funds" on line 18

**Following:** "\$10,000" on line 18

**Insert:** "or a conservation easement using public funds in an amount in excess of \$40,000"

2. Page 1, line 20.

**Following:** "A"

**Insert:** "disinterested"

3. Page 1, line 20 through line 21.

**Following:** "APPRAISER" on line 20

**Strike:** "AND" on line 20 through "APPRAISER" on line 21

And, as amended, be concurred in. Report adopted.

**HB 428**, be concurred in. Report adopted.

**PUBLIC HEALTH, WELFARE AND SAFETY** (O'Neil, Chairman):

3/11/2003

**HB 542**, be concurred in. Report adopted.

**HJR 13**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Cobb, Chairman):

3/11/2003

**HB 178**, be concurred in. Report adopted.

**HB 218**, be amended as follows:

1. Title, page 1, line 6.

**Following:** "FEES"

**Insert:** ", PROVIDE A SAFETY REPORT, SUBMIT A SAFETY PLAN, POST A RECLAMATION BOND,"

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2. Title, page 1, line 8.

**Following:** "RESPONSE,"

**Insert:** "EQUIPMENT PURCHASE,"

3. Title, page 1, line 12.

**Following:** "AGENCIES"

**Insert:** "AND PERSONS"

4. Title, page 1, line 13.

**Following:** "MONTANA;"

**Insert:** "PROVIDING RESPONSIBILITIES FOR TRANSPORTERS;"

5. Title, page 1, line 14.

**Following:** "PERMITS;"

**Insert:** "REQUIRING INSPECTIONS;"

6. Title, page 1, line 21.

**Following:** "WASTE;"

**Insert:** "PROVIDING CERTAIN CONSTRAINTS ON TRANSPORT OF THE WASTE;"

7. Title, page 1, line 23.

**Following:** "PROVISIONS;"

**Insert:** "ASSIGNING LIABILITY;"

8. Title, page 1, line 24.

**Strike:** "AND"

**Following:** "PENALTY"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

9. Page 1, line 28.

**Strike:** "9"

**Insert:** "12"

10. Page 2, line 1.

**Strike:** "9"

**Insert:** "12"

**Following:** "to"

**Insert:** ": (1)"

11. Page 2, line 3.

**Following:** "railroad"

**Insert:** "; and

(2) ensure that in the event of an accident, spill, or other related emergency there will be sufficient indemnity, bond, or insurance to compensate for all damage to persons, property, or the environment"

12. Page 2, line 5.

**Strike:** "9"

**Insert:** "12"

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13. Page 2, line 23.

**Following:** "response,"

**Insert:** "equipment purchase,"

14. Page 2, line 25.

**Strike:** "6"

**Insert:** "7"

15. Page 2, line 30.

**Following:** "emergencies"

**Strike:** "; and"

**Insert:** ", if federal funding is insufficient for training;"

16. Page 3, line 2.

**Following:** "occurs"

**Insert:** ";

(d) to assist state and county officials in notification costs for residents along the transport route;

(e) to obtain protective clothing and gear needed for inspection or potential hazardous cleanup activities;

and

(f) to provide for a monitored pullout area for use by truck transporters hauling highly radioactive waste.

(3) Prior to rulemaking provided for under [section 10(3)], the disaster and emergency services division of the department of military affairs shall coordinate with the public service commission and the department of transportation to provide to an appropriate legislative interim committee prior to the 59th legislature a plan that prioritizes prospective disbursement of money in the account described in subsection (1)"

17. Page 3, line 3.

**Insert:** "NEW SECTION. Section 5. Responsibilities of transporter. (1) A transporter may not carry shipments of high-level radioactive waste or transuranic waste through the state without providing to the disaster and emergency services division in advance of shipment:

(a) a shipment description, including type of waste;

(b) a safety report, which must be forwarded to the department of transportation for truck shipments or the public service commission for rail shipments, and which must include:

(i) the specifications of casks being used to transport the radioactive waste, including how the casks have been tested and certified; and

(ii) proof of training by crew members for emergency situations, including accidents;

(c) a safety plan that includes:

(i) the intended route;

(ii) all safety precautions to be taken to prevent an accident; and

(iii) emergency plans for threats to safety;

(d) proof of insurance or an indemnity bond. If the transporter is covered by a federal insurance program for the transport of radioactive material, proof of coverage by that program is sufficient. If a federal insurance program does not cover the transporter, the transporter shall provide proof of a bond or indemnity insurance coverage for \$25 million. The department of transportation is responsible for insurance oversight in the event of an accident that results in radioactive material leaking or otherwise spilling.

(e) proof of a radiotelephone or other working, two-way voice communications device approved by the nuclear regulatory commission for the main transporter and for each escort vehicle.

(2) A transporter may not transport through the state any high-level radioactive waste or transuranic waste that is not properly sealed in a cask approved by the nuclear regulatory commission.

**Renumber:** subsequent sections

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18. Page 3, line 10.

**Following:** "patrol"

**Strike:** "and"

**Insert:** ", "

**Following:** "commission"

**Insert:** ", and the boards of county commissioners in counties through which the radioactive waste will be transported, within the limits of information disclosure allowed by nuclear regulatory commission regulations. County commissioners may initiate a notification sign-up list for property owners along highways and rail corridors of the proposed transport route and maintain the list for use in notifying landowners of shipments of radioactive waste, within the extent permitted by federal regulations or required in an emergency. If a county compiles a list, an absentee landowner is responsible for providing counties with the name of any renter whose name must be included on the notification list"

19. Page 3, line 12.

**Strike:** "7"

**Insert:** "9"

20. Page 3, line 25.

**Strike:** "and is shipping"

21. Page 3, line 27.

**Following:** "owner of the waste"

**Insert:** "and to the transporter"

**Following:** "a"

**Insert:** "one-trip"

22. Page 4, line 6.

**Insert:** "(7) Fees under this section must be assessed regardless of ownership, and 61-3-321(5) and 61-10-127 do not apply."

23. Page 4, line 6.

**Insert:** "NEW SECTION. Section 8. Inspections. (1) In addition to inspections routinely conducted for rail carriers or motor vehicle carriers, the agency assigned to inspect a carrier transporting high-level radioactive waste must inspect at a minimum the following:

(a) levels of radiation on the surface of the device in which the waste is stored; and

(b) load safety of the rail cars or motor vehicles carrying the radioactive material.

(2) The agency assigned to inspect transport of high-level radioactive waste must also, prior to inspection, compile a report on the conditions that may affect the travel route for the immediately preceding 24-hour period and, if the weather may influence the safety of the transport, must obtain a weather report for the area through which the material is to be transported. If the information gathered under this subsection is not otherwise required to be provided to the owner and the transporter of the waste, the inspecting agency shall provide the information to the owner and the transporter."

**Renumber:** subsequent sections

24. Page 4, line 17.

**Following:** "division"

**Insert:** "for payment out of the account established in [section 4(1)] according to the priorities established in [section 4(3)]"

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25. Page 4, line 18.

**Insert:** "(5) Transport by motor carrier of high-level radioactive waste and transuranic waste may be only over a federal-aid interstate highway and only during daylight hours, except in emergencies determined by the disaster and emergency services division, which shall work with local authorities to determine alternate routes."

26. Page 4, line 24.

**Following:** "waste."

**Insert:** "The plan must include but is not limited to:

- (a) coordination with the federal railroad administration on track and rolling stock inspections;
- (b) inspection and approval by a federally certified inspector no later than 1 week prior to shipment; and
- (c) a requirement that trains carrying radioactive waste or transuranic waste travel at no more than 40 miles an

hour.

27. Page 4, line 30.

**Strike:** "9"

**Insert:** "12"

28. Page 5, line 12.

**Strike:** "9"

**Insert:** "12"

29. Page 5, lines 16 through 17.

**Strike:** "8" on line 16

**Insert:** "10"

**Strike:** "\$10,000"

**Insert:** "\$100,000"

**Following:** "violation."

**Insert:** "In the case of an accidental spill of a cask containing transuranic waste or leakage of high-level radioactive waste, the penalty is in addition to any liability assessed under [section 12]."

**Strike:** "public service commission" on lines 16 through 17

**Insert:** "department of transportation"

30. Page 5, line 18.

**Insert:** "NEW SECTION. Section 12. Liability. The transportation of high-level radioactive waste and transuranic waste through the state is considered an ultrahazardous activity and the owner shall be strictly liable for any damages to person, property, or the environment.

**Renumber:** subsequent sections

31. Page 5, line 19.

**Strike:** "9"

**Insert:** "12"

32. Page 5, line 21.

**Strike:** "9"

**Insert:** "12"

33. Page 5, line 22.

**Insert:** "NEW SECTION. Section 14. Severability. If a part of [this act] is invalid, all valid parts that are severable

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from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Insert:** "NEW SECTION. Section 15. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**HB 450**, be concurred in. Report adopted.

**HJR 21**, be concurred in. Report adopted.

**MOTIONS**

**HB 676** - Senator Tash moved **HB 676** be taken from the committee on Natural Resources and rereferred to the committee on Agriculture, Livestock and Irrigation. Motion carried.

**HB 677** - Senator Tash moved **HB 677** be taken from the committee on Natural Resources and rereferred to the committee on Agriculture, Livestock and Irrigation. Motion carried.

**HB 678** - Senator Tash moved **HB 678** be taken from the committee on Natural Resources and rereferred to the committee on Agriculture, Livestock and Irrigation. Motion carried.

Senator McGee moved to suspend the rules for the late request and introduction of a joint resolution urging the United States Supreme Court to overturn the 9th Circuit Court of Appeals decision prohibiting the use of the phrase "under God" in the Pledge of Allegiance. Motion carried with Senators Ellingson and Toole voting nay.

**HB 712** - Senator Bohlinger moved **HB 712** be taken from the committee on Natural Resources and rereferred to the committee on Local Government. Motion carried.

**HB 648** - Senator O'Neil moved **HB 648** be taken from the committee on Public Health, Welfare and Safety and rereferred to the committee on Agriculture, Livestock and Irrigation. Motion carried.

**HB 604** - Senator Bales moved his name be deleted as co-sponsor from **HB 604**. Motion carried.

**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 Bohlinger in the chair.

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

**HB 49** - Senator Cocchiarella moved **HB 49** do pass. Motion carried unanimously.

**HB 56** - Senator Esp moved **HB 56**, second reading copy, be amended as follows:

1. Title, line 10.

**Following:** "CONDITIONS:"



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**Insert:** "PROVIDING FOR LONGER EXTENSIONS OF COMMITMENTS TO THE MONTANA MENTAL HEALTH NURSING CARE CENTER;"

2. Page 4, line 8.

**Following:** "However"

**Insert:** "except as provided in subsection (4)"

3. Page 4, line 21.

**Following:** "However"

**Insert:** "except as provided in subsection (4)"

4. Page 4, line 24.

**Following:** line 23

**Insert:** "(4) Because of the age and inability of persons committed to the Montana mental health nursing care center to maintain themselves in their homes and communities as required by 53-21-411, an extension of a commitment pursuant to subsection (1)(d) may be for up to 1 year and an extension of a commitment pursuant to subsection (2) may be for up to 2 years."

Amendment **adopted** unanimously.

**HB 56** - Senator Esp moved **HB 56**, as amended, be concurred in. Motion carried unanimously.

**HB 72** - Senator Cocchiarella moved **HB 72** be concurred in. Motion carried unanimously.

**HB 79 - Governor's Amendments** - Senator Barkus moved Governor's amendments to **HB 79** be concurred in. Motion carried unanimously.

**HB 135** - Senator D. Ryan moved **HB 135** be concurred in. Motion carried unanimously.

**HB 198** - Senator Cobb moved **HB 198** be concurred in. Motion carried unanimously.

**Senator Cobb excused at this time.**

**HB 287** - Senator Ellingson moved **HB 287** be concurred in. After discussion, Senator Ellingson made a **substitute motion** to pass consideration of **HB 287**. Motion carried.

**Senator Cobb present at this time.**

**HB 325** - Senator Nelson moved **HB 325** be concurred in. Motion carried unanimously.

**HB 326** - Senator McCarthy moved **HB 326** be concurred in. Motion carried unanimously.

**HB 378** - Senator Pease moved **HB 378** be concurred in. Motion carried unanimously.

**HB 427** - Senator Perry moved **HB 427** be concurred in. Motion carried with Senators Johnson, Mahlum and Thomas voting nay.

**HJR 3** - Senator Schmidt moved **HJR 3** be concurred in. Motion carried unanimously.

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Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Bohlinger 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:

**HB 50, as amended by the Senate**, 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, 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

**HB 101** concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, 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, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.  
Total 48

Nays: Butcher, Stapleton.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 137** 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, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.

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Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 142, as amended by the Senate**, 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, 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

**HB 187** concurred in as follows:

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

Total 44

Nays: Butcher, Esp, Gebhardt, McGee, Stapleton, Story.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 392** 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, 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

**HB 408** 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, 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

**HB 411** concurred in as follows:

Yeas: Anderson, Bales, Barkus, 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, Schmidt, Shea, Sprague, Squires, Stonington, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.  
Total 43

Nays: Black, McGee, Roush, Ryan, Stapleton, Story, Taylor.  
Total 7

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

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**HB 471** concurred in 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, 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: Curtiss.  
Total 1

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 511** 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, 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

**HB 636** 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, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.  
Total 45

Nays: Esp, McGee, Nelson, Stapleton, Story.  
Total 5

Absent or not voting: None.  
Total 0

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Excused: None.  
Total 0

**HJR 16** concurred in as follows:

Yeas: Anderson, 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, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.  
Total 47

Nays: Bales, Esp, McGee.  
Total 3

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., Wednesday, March 12, 2003. Motion carried.

Senate adjourned at 2:40 p.m.

ROSANA SKELTON  
Secretary of the Senate

BOB KEENAN  
President of the Senate