

**SENATE JOURNAL
58TH LEGISLATURE
SEVENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 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 except Senators Elliott and Shea, excused. Quorum present.

The presiding officer has authenticated the daily journal for the seventy-seventh legislative day.

SPECIAL ORDERS OF THE DAY

Baktybek Abdrysaev (Bock-Te-Beck Ahb-Dree-Sigh-Yev), Ambassador of the Republic of Kyrgyz, was welcomed to the Senate, where he gave a short speech.

REPORTS OF STANDING COMMITTEES

BILL REPORT

Correctly printed: **SB 492, SR 8, SR 9.**

Correctly engrossed: **HB 2, HB 5, HB 261.**

Correctly enrolled: **SB 13, SB 34, SB 65, SB 76, SB 80, SB 86, SB 98, SB 105, SB 110, SB 113, SB 137, SB 143, SB 146, SB 152, SB 159, SB 209, SB 226, SB 284, SB 389, SB 429, SB 432, SB 450.**

Examined by the sponsor and found to be correct: **SB 13, SJR 2, SJR 4, SJR 7, SJR 8, SJR 15, SJR 16, SJR 23, SJR 24, SJR 26, SJR 27.**

Signed by the President at 3:00 p.m., April 10, 2003: **SB 13.**

Signed by the President at 3:30 p.m., April 9, 2003: **SJR 2 SJR 4, SJR 7, SJR 8, SJR 15, SJR 16, SJR 23, SJR 24, SJR 26, SJR 27.**

Signed by the Secretary of the Senate at 3:30 p.m., April 10, 2003: **SB 13.**

Signed by the Secretary of the Senate at 12:30 p.m., April 10, 2003: **SJR 2 SJR 4, SJR 7, SJR 8, SJR 15, SJR 16, SJR 23, SJR 24, SJR 26, SJR 27.**

Signed by the Speaker at 3:20 p.m., April 10, 2003: **SB 13.**

Signed by the Speaker at 1:15 p.m., April 10, 2003: **SJR 2 SJR 4, SJR 7, SJR 8, SJR 15, SJR 16, SJR 23, SJR 24, SJR 26, SJR 27.**

Delivered to the Governor for approval at 4:00 p.m., April 10, 2003: **SB 13.**

Delivered to the Secretary of State at 3:59 p.m., April 10, 2003: **SJR 2 SJR 4, SJR 7, SJR 8, SJR 15, SJR 16, SJR 23, SJR 24, SJR 26, SJR 27.**

Examined by the sponsor and found to be correct: **SB 168, SB 191, SB 217, SB 306, SB 307, SB 316, SB 334, SB 449, SJR 11, SR 6.**

Signed by the President at 4:00 p.m., April 8, 2003: **SB 168, SB 191, SB 217, SB 306, SB 307, SB 316, SB 334, SB 449, SJR 11, SR 6.**

Signed by the Secretary of the Senate at 8:30 a.m., April 9, 2003: **SB 168, SB 191, SB 217, SB 306, SB 307, SB 316, SB 334, SB 449, SJR 11, SR 6.**

Signed by the Speaker at 9:35 a.m., April 9, 2003: **SB 168, SB 191, SB 217, SB 306, SB 307, SB 316, SB 334, SB 449.**
Delivered to the Governor for approval at 10:35 a.m., April 11, 2003: **SB 168, SB 191, SB 217, SB 306, SB 307, SB 316, SB 334, SB 449.**

Delivered to the Secretary of State at 11:55 a.m., April 11, 2003: **SJR 11, SR 6,**

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FINANCE AND CLAIMS (Zook, Chairman):
SB 491, do pass. Report adopted.

4/8/2003

HB 4, be amended as follows:

1. Page 1.

Following: line 23

Insert: "State Auditor's Office
Securities

National White Collar Crime Center	2003	\$39,311	Federal Funds"
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2. Page 2.

Following: line 1

Insert: "Board of Crime Control
Justice System Support Services

Forensic Science Improvements	2003	\$29,178	Federal Funds
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All remaining fiscal year 2003 federal budget amendment authority for forensic science improvements is authorized to continue into state fiscal year 2004."

3. Page 2.

Following: line 5

Insert: "Division of Criminal Investigation

All remaining fiscal year 2003 federal budget amendment authority for the Rocky Mountain high intensity drug trafficking area is authorized to continue into state fiscal year 2004.

Forensic Sciences Division

All remaining fiscal year 2003 federal budget amendment authority for the Rocky Mountain high intensity drug trafficking area is authorized to continue into state fiscal year 2004.

Montana Arts Council

Promotion of the Arts

All remaining fiscal year 2003 federal budget amendment authority from the national endowment for the arts virtual exhibit of Montana folklife and folk art is authorized to continue into state fiscal year 2004."

4. Page 2, line 24.

Strike: "\$60,735"

Insert: "\$63,165"

5. Page 3.

Following: line 7

Insert: "Fish Restoration and Irrigation Mitigation Act

	2003	\$15,720	Federal Funds
Native Fishes at Fort Peck Dam	2003	\$461,203	Federal Funds"

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6. Page 3, line 9.

Following: "HATCHERY"

Insert: "and Fish Restoration and Irrigation Mitigation Act"

7. Page 3.

Following: line 21

Insert: "Parks Division

Lewis and Clark Bicentennial	2003	\$65,000	Federal Funds
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All remaining fiscal year 2003 federal budget amendment authority for the Lewis and Clark bicentennial is authorized to continue into state fiscal year 2005."

8. Page 4.

Following: line 4

Insert: "Department of Livestock
Animal Health Division

Greater Yellowstone Interagency Brucellosis Committee	2003	\$61,533	Federal Funds
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All remaining fiscal year 2003 federal budget amendment authority for the greater Yellowstone interagency brucellosis committee is authorized to continue into state fiscal year 2004."

9. Page 4.

Following: line 13

Insert: "Stryker Basin Trail System Grant

	2003	\$7,292	Federal Funds
Hazardous Fuel Reduction	2003	\$232,500	Federal Funds
Fire Suppression	2003	\$690,569	Federal Funds"

10. Page 4.

Following: line 15

Insert: "All remaining fiscal year 2003 federal budget amendment authority for the Stryker basin trail system grant is authorized to continue into state fiscal year 2004."

11. Page 4.

Following: line 30

Insert: "Organic Producers' Cost Share

	2003	\$110,000	Federal Funds
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All remaining fiscal year 2003 federal budget amendment authority for the organic producers' cost share is authorized to continue in to federal fiscal year 2004."

12. Page 6.

Following: line 7

Insert: "Communications Funding	2003	\$375,524	Federal Funds
Army Recruiting Office Lease	2003	\$18,000	Federal Funds

All remaining fiscal year 2003 federal budget amendment authority for communications funding and for the army recruiting office lease is authorized to continue into state fiscal year 2004."

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Strike: "and"
Insert: ", "

2. Page 14, line 14 through line 17.

Following: "legislature,"

Strike: "the employer" on line 14 through "For" on line 17

Insert: "and for"

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

HB 18, be amended as follows:

1. Title, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2.

Following: line 10

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates June 30, 2005."

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

HB 42, be amended as follows:

1. Title, line 8 through line 9.

Strike: "AND" on line 8 through "APPROPRIATION" on line 9

2. Title, line 10.

Following: "ALLOCATED"

Insert: "FOR RESIDENTS"

3. Title, line 11.

Strike: "17-7-502,"

4. Title, line 11.

Strike: "87-1-268,"

Strike: "87-2-504, 87-2-505, 87-2-510, 87-2-511, 87-2-512,"

5. Page 3, line 3 through line 4.

Strike: "That portion" on line 3 through "17-7-502." on line 4

6. Page 3, line 14 through page 4, line 12.

Strike: section 6 in its entirety

Renumber: subsequent sections

7. Page 7, line 3 through line 13.

Strike: section 8 in its entirety

Renumber: subsequent sections

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8. Page 11, line 9.

Strike: "Class B-10, Class B-11,"

9. Page 12, line 18 through page 20, line 17.

Strike: sections 12 through 16 in their entirety

Renumber: subsequent sections

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

HB 363, be amended as follows:

1. Title, line 10.

Following: "1990;"

Insert: "TRANSFERRING TO THE GENERAL FUND MONEY FROM THE RESERVES FOR CLAIMS OCCURRING BEFORE JULY 1, 1990;"

2. Page 1, line 20.

Strike: "for payment of claims"

3. Page 2, line 21.

Following: "2004" on line 21

Strike: " "

Insert: ": (i)"

4. Page 2, line 22.

Following: "FUND"

Insert: "; and (ii) \$30 million must be transferred to the general fund from the reserves for claims for injuries that occurred before July 1, 1990"

5. Page 3, line 1.

Strike: "If"

Insert: "Except with respect to funds transferred pursuant to subsection (5)(b)(ii), if"

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

HIGHWAYS AND TRANSPORTATION (Butcher, Chairman):

4/11/2003

SB 489, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 6.

Strike: "FROM THE" on line 4 through "DAKOTA BORDER" on line 6

Insert: "IN MONTANA"

2. Page 2, line 2 through line 6.

Following: "trail is"

Insert: "the"

Strike: "15 from" on line 2 through "Dakota border" on line 6

Insert: "system in Montana"

3. Page 2, line 14.

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Strike: "[section 1] and"

Strike: "of this section"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **House Bill 283**

Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 283** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 283** (reference copy -- salmon) be accepted by the House.

For the House:

Fuchs, Vice Chairman
Balyeat
Jent

For the Senate

Sprague, Chairman
McGee
Shea

MESSAGES FROM THE GOVERNOR

April 10, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Senator Keenan:

Please be informed that I have signed **Senate Bill 118** sponsored by Senator DePratu, **Senate Bill 211** sponsored by Senator Hansen, and **Senate Bill 292** sponsored by Senator Cocchiarella et al. on April 10, 2003.

Sincerely,

JUDY MARTZ
Governor

April 10, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

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Dear Senator Keenan:

Attached is our fourth list of board appointments not yet confirmed by the Montana Legislature. These names were inadvertently left off of Report No. 2. We have supplied the following information for each member:

Board Name
Member Name
Member Address and Phone Numbers
Brief Member Biography
Position Requirement

If I or my staff can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

JUDY MARTZ
Governor

**SENATE CONFIRMATION REPORT
2003**

Board of Personnel Appeals

MCA 2-15-1705

Steve Johnson
200 W. Broadway
Missoula, MT 59802
HPH: 523-4874
BPH: 721-5700

Appt: 02/06/03
Term: 01/01/07
Qual: Representative of management in
collective bargaining

Steve has been a management representative in collective bargaining for more than twelve years. For the past five years he has worked as the Director of Personnel and Labor Relations for Missoula County.

Patrick Dudley
P.O. Box 3300
Butte, MT 59702
HPH: 782-3688
BPH: 723-2500

Appt: 02/06/03
Term: 01/01/07
Qual: Representative of substitute management with
Collective bargaining experience

Pat is a registered Medical Technologist at St. James Community Hospital in Butte. He has been the Human Resources Director for ten years. Pat was the Education Director and Employment Supervisor prior to his current position.

Joe Dwyer
P.O. Box 50969
Billings, MT 59105
HPH: 248-2658
BPH: 248-2658

Appt: 02/06/03
Term: 01/01/07
Qual: Representative of labor

Joe Dwyer is the current Secretary Treasurer of Teamsters Local 190. He has held that position since 1997. Prior to his election as Secretary Treasurer he was Business Agent for the local. In both capacities he has represented his

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members in public as well as public sector collective bargaining matters.

April 10, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Mood and President Keenan:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 693, "AN ACT PROVIDING THAT CHILD SUPPORT OBLIGATIONS DETERMINED PURSUANT TO ADMINISTRATIVE PROCEDURE ARE EFFECTIVE IMMEDIATELY UPON SERVICE OF A NOTICE OF FINANCIAL RESPONSIBILITY ON THE PARENT OR PARENTS AND THAT FINAL ORDERS ARE RETROACTIVE TO THAT DATE; PROVIDING THAT A NOTICE OF FINANCIAL RESPONSIBILITY MUST INCLUDE A STATEMENT REGARDING ITS IMMEDIATE EFFECTIVENESS; AMENDING SECTION 40-5-225, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" for the following reasons:

House Bill No. 693 provides child support during the pendency of a child support establishment action before the Child Support Enforcement Division (CSED). This raises constitutional issues, specifically due process violations. The enforcement of private rights, including notice and right to a fair hearing before a tribunal with the power to decide a case, is paramount.

Currently, Montana law provides that an administrative child support order must be first adjudicated, with notice and opportunity for a hearing, prior to any enforcement action. Further, no enforcement is allowed until the final order is entered.

For these reasons, I recommend that House Bill No. 693, Section 40-5-225 (2)(c) in pertinent part read: The notice must include a statement that the monthly support obligation is effective on the date of service of the notice, *unless an objection is made and a hearing is requested*, and may be collected during the proceeding that establishes the support obligation by any remedy available to the department for the enforcement of child support obligations.

I have enclosed my amendment to that effect. Please be advised that Representative Sinrud, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 693

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1. Page 1, line 24.

Following: "notice"

Insert: ", unless an objection is made and a hearing is requested,"

MESSAGES FROM THE OTHER HOUSE

Senate amendments to House bills concurred in:

4/10/2003

HB 105, introduced by B. Olson
HB 223, introduced by Lawson
HB 253, introduced by Hedges
HB 266, introduced by Jacobson
HB 270, introduced by Bergren
HB 338, introduced by Keane
HB 396, introduced by Gibson
HB 410, introduced by Younkin
HB 451, introduced by E. Clark
HB 468, introduced by Gillan
HB 521, introduced by Balyeat
HB 525, introduced by Keane
HB 537, introduced by Lawson
HB 540, introduced by Gallik
HB 553, introduced by Gallik
HB 556, introduced by Gallik
HB 563, introduced by Laszloffy
HB 577, introduced by Brueggeman
HB 588, introduced by Matthews

Governor's amendments to House bill concurred in and transmitted to the Senate for concurrence in the Governor's amendments:

4/10/2003

HB 185, introduced by Wilson

SB 126 - The House acceded to the request of the Senate and authorized the Speaker to appoint a **Free** Conference Committee to meet with a like committee from the Senate to concur on **SB 126**. The Speaker appointed the following members:

4/10/2003

Representative Devlin, Chair
Representative Laslovich
Representative Waitschies

HB 424 - The House failed to concur in Senate amendments to **HB 424**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 424**:

4/10/2003

Representative Bitney, Chair
Representative Roberts
Representative Jent

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HB 680 - The House failed to concur in Senate amendments to **HB 680**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 680**:

4/10/2003

Representative Noennig, Chair
Representative Becker
Representative Younklin

HJR 31 - The House failed to concur in Senate amendments to **HJR 31**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HJR 31**:

4/10/2003

Representative B. Thomas, Chair
Representative Facey
Representative Stoker

MOTIONS

FREE CONFERENCE COMMITTEES

SB 326 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee, and request the House to appoint a like committee, to confer on **SB 326**. Motion carried. The President appointed the following members:

Senator McGee, Chair
Senator Grimes
Senator Wheat

HB 304 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 304**. Motion carried. The President appointed the following members:

Senator Johnson, Chairman
Senator Stapleton
Senator Tropila

HB 509 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 509**. Motion carried. The President appointed the following members:

Senator Johnson, Chair
Senator Thomas
Senator McCarthy

HB 536 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 536**. Motion carried. The President appointed the following members:

Senator Perry, Chair

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Senator Black
Senator Mangan

HB 564 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 564**. Motion carried. The President appointed the following members:

Senator Mahlum, Chair
Senator Anderson
Senator Cocchiarella

HB 689 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 689**. Motion carried. The President appointed the following members:

Senator Gebhardt, Chair
Senator McNutt
Senator Squires

HB 720 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on **HB 720**. Motion carried. The President appointed the following members:

Senator Tash, Chair
Senator Bales
Senator Nelson

CONFERENCE COMMITTEES

HB 404 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HB 404**. Motion carried. The President appointed the following members:

Senator Grimes, Chair
Senator Perry
Senator Cromley

HB 433 - Senator Thomas moved the Senate accede to the request of the House and that the President be authorized to appoint a **Conference** Committee to meet with a like committee from the House to confer on Senate Amendments to **HB 433**. Motion carried. The President appointed the following members:

Senator Grimes
Senator Tash
Senator McCarthy

**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

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second reading. Motion carried. President Keenan retained the chair.

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

SB 366 - House Amendments - Senator Grimes moved House amendments to **SB 366** be concurred in. Motion carried unanimously.

*****SB 362 - House Amendments** - Senator Grimes moved House amendments to **SB 362** be **not** concurred in. Motion carried unanimously.

Senator Grimes assumed the chair.

SB 247 - House Amendments - Senator Cobb moved House amendments to **SB 247** be concurred in. Motion carried unanimously.

SB 485 - Senator Keenan moved **SB 485**, second reading copy, be amended as follows:

1. Title, page 1, line 14.

Following: "ACCOUNT"

Insert: "AND ALLOCATING ACCOUNT PROCEEDS"

2. Page 2, line 23.

Strike: "State special revenue"

Insert: "Prevention and stabilization"

Following: "account"

Insert: "-- allocation of proceeds"

Following: "."

Insert: "(1)"

3. Page 2.

Following: "line 25"

Insert: "(2)(a) Funds in the prevention and stabilization account must be used for the following programs in order of priority:

(i) prescription drugs for adults with a serious and disabling mental illness eligible for programs initiated pursuant to 53-21-702(2) and (3);

(ii) the Montana initiative for the abatement of mortality in infants administered pursuant to 50-19-301;

(iii) stabilization of rates for medicaid mental health services;

(iv) medicaid hospice services;

(v) extended employment;

(vi) independent living; and

(vii) home health therapy services.

(b) Funds remaining after allocations to the priorities in subsection (2)(a) may be expended for other programs as directed in 17-6-606(1)."

Amendment **adopted** unanimously.

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SB 485 - Senator Cobb moved **SB 485**, as amended, do pass. Motion carried as follows:

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

Total 42

Nays: Black, Cooney, Roush, Tester, Toole.

Total 5

Absent or not voting: None.

Total 0

Excused: Elliott, McGee, Shea.

Total 3

SB 348 - House Amendments - Senator Keenan moved House amendments to **SB 348** be concurred in. Motion carried unanimously.

*****SB 349 - House Amendments** - Senator Anderson moved House amendments to **SB 349** be **not** concurred in. Motion carried as follows:

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

Total 25

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

Total 23

Absent or not voting: None.

Total 0

Excused: Elliott, Shea.

Total 2

SB 387 - House Amendments - Senator Cobb moved House amendments to **SB 387** be concurred in. Motion carried unanimously.

SB 400 - House Amendments - Senator Toole moved House amendments to **SB 400** be concurred in. Motion carried unanimously.

SB 434 - House Amendments - Senator Tropila moved House amendments to **SB 434** be concurred in. Motion carried unanimously.

SB 46 - House Amendments - Senator Gebhardt moved House amendments to **SB 46** be concurred in. Motion carried unanimously.

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*****SB 62 - House Amendments** - Senator D. Ryan moved House amendments to **SB 62** be **not** concurred in. Motion carried unanimously.

*****SB 130 - House Amendments** - Senator McGee moved House amendments to **SB 130** be **not** concurred in. Motion carried unanimously.

SB 246 - House Amendments - Senator Glaser moved House amendments to **SB 246** be concurred in. Motion carried unanimously.

*****SB 252 - House Amendments** - Senator Squires moved House amendments to **SB 252** be **not** concurred in. Motion carried unanimously.

*****SB 304 - House Amendments** - Senator Johnson moved House amendments to **SB 304** be **not** concurred in. Motion carried unanimously.

SB 337 - House Amendments - Senator Tropila moved House amendments to **SB 337** be concurred in. Motion carried unanimously.

*****SB 347 - House Amendments** - Senator Keenan moved House amendments to **SB 347** be **not** concurred in. Motion carried unanimously.

*****SB 360 - House Amendments** - Senator F. Thomas moved House amendments to **SB 360** be **not** concurred in. Motion carried unanimously.

SB 364 - House Amendments - Senator Cooney moved House amendments to **SB 364** be concurred in. Motion carried unanimously.

SB 370 - House Amendments - Senator Gebhardt moved House amendments to **SB 370** be concurred in. Motion carried unanimously.

SB 383 - House Amendments - Senator Bales moved House amendments to **SB 383** be concurred in. Motion carried unanimously.

Senator Elliott present at this time.

SB 386 - House Amendments - Senator Gebhardt moved House amendments to **SB 386** be concurred in. Motion carried unanimously.

SB 392 - House Amendments - Senator Bales moved House amendments to **SB 392** be concurred in. Motion carried unanimously.

*****SB 395 - House Amendments** - Senator Perry moved House amendments to **SB 395** be **not** concurred in. Motion carried unanimously.

SB 402 - House Amendments - Senator Cocchiarella moved House amendments to **SB 402** be concurred in. Motion carried unanimously.

SB 406 - House Amendments - Senator McGee moved House amendments to **SB 406** be concurred in. Motion carried unanimously.

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SB 442 - House Amendments - Senator Stonington moved House amendments to **SB 442** be concurred in. Motion carried unanimously.

SB 444 - House Amendments - Senator Tester moved House amendments to **SB 444** be concurred in. Motion carried unanimously.

SJR 22 - House Amendments - Senator McGee moved House amendments to **SJR 22** be concurred in. Motion carried unanimously.

Senator Shea present at this time.

HB 452 - Senator Ellingson moved **HB 452** be concurred in. Motion carried with Senators Barkus, Glaser, Johnson, and Perry voting nay.

HB 539 - Senator Bohlinger moved **HB 539** be concurred in. Motion carried unanimously.

HB 558 - Senator Mahlum moved **HB 558** be concurred in. Motion carried unanimously.

HB 631 - Senator Laible moved **HB 631** be concurred in. Motion carried unanimously.

HB 721 - Senator Taylor moved **HB 721** be concurred in. Motion carried with Senators Esp and Perry voting nay.

HB 761 - Senator Wheat moved **HB 761** be concurred in. Motion carried with Senator O'Neil voting nay.

SJR 28 - Senator Bohlinger moved **SJR 28** do pass. Motion **failed** as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Cobb, Cromley, Ellingson, Glaser, Harrington, Johnson, Laible, Mahlum, McNutt, O'Neil, Pease, Perry, Sprague, Stapleton, Tash, Taylor, Thomas, Toole, Tropila, Wheat.
Total 24

Nays: Bales, Butcher, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Grimes, Hansen, Kitzenberg, Mangan, McCarthy, McGee, Nelson, Roush, Ryan, Schmidt, Shea, Squires, Stonington, Story, Tester, Zook, Mr. President.
Total 26

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 28 - Senator F. Thomas moved **SJR 28** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bales, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Grimes, Hansen, Harrington, Kitzenberg, Laible, Mangan, McCarthy, McGee, McNutt, Nelson, Roush, Ryan, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tester, Toole, Wheat, Zook, Mr. President.
Total 33

Nays: Anderson, Barkus, Black, Bohlinger, Cromley, Ellingson, Glaser, Johnson, Mahlum, O'Neil, Pease, Perry,

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Schmidt, Tash, Taylor, Thomas, Tropila.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 29 - Senator Toole moved **SJR 29** be adopted. Motion carried as follows:

Yeas: Anderson, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Cromley, DePratu, Ellingson, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, Nelson, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tash, Tester, Toole, Tropila, Wheat, Mr. President.
Total 37

Nays: Bales, Barkus, Black, Curtiss, Elliott, Esp, Glaser, McNutt, Stapleton, Thomas, Zook.
Total 11

Absent or not voting: None.
Total 0

Excused: Gebhardt, Taylor.
Total 2

SJR 31 - Senator Tash moved **SJR 31** be adopted. Motion carried unanimously.

SB 340 - House Amendments - Senator McGee moved consideration of House amendments to **SB 340** be passed for the day. Motion carried unanimously.

*****SB 375 - House Amendments** - Senator Elliott moved House amendments to **SB 375** be **not** concurred in. Motion carried unanimously.

SB 381 - House Amendments - Senator Keenan moved House amendments to **SB 381** be concurred in. Motion carried unanimously.

*****SB 330 - House Amendments** - Senator Mangan moved House amendments to **SB 330** be **not** concurred in. Motion carried unanimously.

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

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SB 35, as amended by the House, 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 95, as amended by the House, 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 194, as amended by the House, passed as follows:

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

Total 38

Nays: Cooney, Cromley, Ellingson, Hansen, Mangan, Pease, Roush, Ryan, Schmidt, Stonington, Toole, Tropila.

Total 12

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

SB 230, as amended by the House, 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 231, as amended by the House, passed as follows:

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

Total 49

Nays: McGee.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 232, as amended by the House, passed as follows:

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

Total 40

Nays: Cooney, Ellingson, Elliott, Johnson, Mangan, Schmidt, Squires, Tester, Toole, Wheat.
Total 10

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Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 244, as amended by the House, passed as follows:

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

Nays: Cooney, Cromley, Nelson, Schmidt, Toole.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 263, as amended by the House, 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 270, as amended by the House, passed as follows:

Yeas: Barkus, Black, Bohlinger, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Glaser, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McNutt, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Tash, Tester, Toole, Tropila, Wheat.
Total 34

Nays: Anderson, Bales, Butcher, Curtiss, DePratu, Esp, Gebhardt, Grimes, McGee, Nelson, O'Neil, Story, Taylor,

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Thomas, Zook, Mr. President.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 275, as amended by the House, passed as follows:

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

Nays: Cromley, Ellingson, Ryan, Squires, Tester.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 282, as amended by the House, 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 288, as amended by the House, 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,

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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 321, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cooney, Curtiss, DePratu, 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, Tropila, Wheat, Zook, Mr. President.

Total 46

Nays: Cromley, Ellingson, Tester, Toole.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 344, as amended by the House, passed as follows:

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

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 363, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McCarthy, McGee, McNutt, Nelson, Pease, Perry, Roush, Sprague, Stapleton, Story, Tash, Taylor, Thomas, Tropila, Zook, Mr. President.
Total 33

Nays: Cobb, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, O'Neil, Ryan, Schmidt, Shea, Squires, Stonington, Tester, Toole, Wheat.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 401, as amended by the House, 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 423, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cocchiarella, Cromley, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Harrington, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Roush, Shea, Sprague, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook, Mr. President.
Total 41

Nays: Cooney, Ellingson, Elliott, Hansen, Ryan, Schmidt, Squires, Tester, Toole.
Total 9

Absent or not voting: None.
Total 0

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Excused: None.
Total 0

SB 441, as amended by the House, passed 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, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: Esp.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 447, as amended by the House, passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cooney, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, Mangan, McCarthy, McGee, McNutt, O'Neil, Pease, Perry, Roush, Schmidt, Sprague, Stonington, Story, Tash, Taylor, Thomas, Wheat, Zook, Mr. President.
Total 36

Nays: Cobb, Cocchiarella, Cromley, Ellingson, Hansen, Harrington, Nelson, Ryan, Shea, Squires, Stapleton, Tester, Toole, Tropila.
Total 14

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 5, 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

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Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 9 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, McNutt, Nelson, Pease, Perry, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 47

Nays: Butcher, McGee, O'Neil.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 100 concurred in as follows:

Yeas: Bales, Barkus, Black, Bohlinger, 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, Stonington, Story, Tash, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 44

Nays: Anderson, Butcher, Esp, McGee, Stapleton, Taylor.
Total 6

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 249 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, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: Stapleton.

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Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILL REPORT

Correctly engrossed: **SB 421, SB 490, HB 748, HJR 2.**

Correctly enrolled: **SB 111, SB 115, SR 4, SR 5.**

FINANCE AND CLAIMS (Zook, Chairman):

4/11/2003

HB 3, be amended as follows:

1. Page 1, line 22.

Strike: "\$2,497,863"

Insert: "\$1,325,762"

2. Page 1, line 28.

Strike: line 28 in its entirety

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

HB 261, be amended as follows:

1. Title, line 9.

Strike: "\$8"

Insert: "\$5"

Strike: "\$15"

Insert: "\$10"

2. Title, line 12 through line 13.

Following: "LOAN" on line 12

Strike: remainder of line 12 through "PERMANENT" on line 13

3. Title, line 14.

Strike: "3-5-904,"

4. Title, line 15.

Following: "MCA,"

Strike: "SECTION 4, CHAPTER 361, LAWS OF 1995, SECTION 1, CHAPTER 71,, LAWS OF 1999,"

5. Page 3, line 26 through line 30.

Strike: section 1 in its entirety

Renumber: subsequent sections

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6. Page 7, line 4.

Strike: "~~\$13~~"

Insert: "\$10"

7. Page 7, line 5.

Strike: "~~\$13~~"

Insert: "\$10"

8. Page 7, line 7.

Strike: "~~\$8~~"

Insert: "\$5"

9. Page 10, line 14.

Strike: "~~\$13~~"

Insert: "\$10"

10. Page 10, line 15.

Strike: "~~\$13~~"

Insert: "\$10"

11. Page 10, line 17.

Strike: "~~\$8~~"

Insert: "\$5"

12. Page 13, line 17.

Strike: "~~\$13~~"

Insert: "\$10"

13. Page 13, line 18.

Strike: "~~\$13~~"

Insert: "\$10"

14. Page 13, line 19.

Strike: "~~\$8~~"

Insert: "\$5"

15. Page 17, line 19.

Strike: "~~\$15~~"

Insert: "\$10"

16. Page 17, line 21.

Strike: "~~\$15~~"

Insert: "\$10"

17. Page 19, line 19.

Strike: "~~\$15~~"

Insert: "\$10"

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18. Page 19, line 21.

Strike: "\$15"

Insert: "\$10"

19. Page 21, line 18.

Strike: "\$15"

Insert: "\$10"

20. Page 21, line 20.

Strike: "\$15"

Insert: "\$10"

21. Page 21, line 25.

Strike: "\$13"

Insert: "\$10"

22. Page 21, line 28.

Strike: "\$13"

Insert: "\$10"

23. Page 21, line 29.

Strike: "\$8"

Insert: "\$5"

24. Page 22, line 13.

Strike: "\$8"

Insert: "\$5"

25. Page 22, line 16 through line 17.

Following: "account" on line 16

Strike: remainder of line 16 through "(A)" on line 17

26. Page 22, line 19.

Strike: "(I)"

Insert: "(a)"

Renumber: subsequent subsection

27. Page 22, line 22 through line 24.

Strike: line 22 through "3-5-904" on line 24

28. Page 22, line 26 through page 23, line 3.

Strike: section 11 through section 12 in their entirety

Renumber: subsequent sections

29. Page 23, line 24 through line 26.

Strike: section 15 in its entirety

Insert: "NEW SECTION. Section 12. Coordination instruction. If House Bill No. 538 and [this act] are both passed and approved, then:

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(1) [Section 11] of [this act], amending section 9, Chapter 394, Laws of 2001, is void.

(2) [Section 9] of [this act] must read:

"Section 9. Section 61-3-550, MCA, is amended to read:

"61-3-550. (Temporary) Motor vehicle information technology system account. (1) There is a motor vehicle information technology system account in the state special revenue fund provided for in 17-2-102.

(2) Fees received by the department of revenue pursuant to 61-3-103 and \$5 of each fee received under 61-3-203 or 61-3-204 for a certificate of title must be deposited in the account.

(3) The money in the motor vehicle information technology system account must be appropriated by the legislature to the department of justice and must be used by the department for the purpose of:

(a) repaying any indebtedness or loan incurred for the creation of a new information technology system for motor vehicles; or

(b) payment of costs directly incurred in the creation and support of the new motor vehicle information technology system. (~~Terminates June 30, 2011--sec. 9, Ch. 394, L. 2001.~~)"

"

Renumber: subsequent sections

30. Page 24, line 2.

Strike: "14"

Insert: "11"

31. Page 24, line 5.

Strike: "10"

Insert: "9"

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

HB 722, be amended as follows:

1. Page 7.

Following: line 27

Insert: "(3) If House Bill No. 727 is passed and approved, [section 15 of this act] is void and the following money is appropriated to the department of public health and human services:

(a) from the general fund for the payment of the utilization fees created in [section 2]:

Fiscal year 2003 \$426,018

Fiscal year 2004 \$833,971

Fiscal year 2005 \$798,486

(b) from the state special revenue account in [section 14 of this act] for the purposes of financing, administering, and providing health and human services:

Fiscal year 2003 \$298,213

Fiscal year 2004 \$583,780

Fiscal year 2005 \$558,940

(c) from federal special revenue for the purposes of financing, administering, and providing health and human services:

Fiscal year 2003 \$1,114,118

Fiscal year 2004 \$2,176,598

Fiscal year 2005 \$2,046,753"

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

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HB 744, be amended as follows:

1. Title, page 1, line 8.

Following: "POSSIBLE;"

Insert: "DIRECTING THE DEPARTMENT TO EVALUATE THE PROPOSED MEDICAID BLOCK GRANT AS PART OF REFINANCING ACTIVITIES AND REPORT FINDINGS AT EACH REGULAR MEETING OF THE LEGISLATIVE FINANCE COMMITTEE; DIRECTING THAT THE GOVERNOR MAY NOT OPT TO ACCEPT A MEDICAID BLOCK GRANT WITHOUT LEGISLATIVE CONSENT IF THE DECISION TO ACCEPT THE GRANT CAN BE DELAYED UNTIL THE NEXT REGULAR SESSION OF THE LEGISLATURE;"

2. Page 1.

Following: line 22

Insert: "NEW SECTION. Section 2. Evaluation of proposed medicaid block grant and acceptance of grant.

(1) As part of its refinancing duties, the department of public health and human services shall evaluate the proposed medicaid block grant and report its findings with respect to the criteria in subsection (2) to the legislative finance committee at each regular meeting of the committee.

(2) The department shall use the following criteria in its evaluation of the proposed medicaid block grant compared to other medicaid funding alternatives from which the state may choose:

(a) total cost to the state over the life of the block grant and during each year of the block grant compared to the state cost of maintaining medicaid eligibility and service levels funded by the legislature during the current biennium;

(b) types of flexibility;

(c) advantages and disadvantages; and

(d) policy choices that may occur.

(3)(a) The legislative finance committee shall review and analyze the department's findings and make a recommendation to the governor and to the department with regard to acceptance or rejection of the block grant if the state is required to make a decision as to whether to accept or reject the block grant prior to the next regular convening of the legislature.

(b) The governor shall consider the recommendation of the legislative finance committee and provide a written rationale to the committee if the recommendation of the committee is not followed.

(4) If federal laws allow the state to delay the decision as to whether to accept the medicaid block grant until the next regular session of the legislature, the governor may not opt to accept the medicaid block grant without legislative consent."

Renumber: subsequent sections

3. Page 2, line 12.

Following: "section"

Strike: "2"

Insert: "3"

4. Page 2, line 15.

Following: "section"

Strike: "2"

Insert: "3"

5. Page 4, line 27.

Following: "section"

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Strike: "2"
Insert: "3"

6. Page 5, line 20.
Following: "Sections"
Strike: "and 2"
Insert: "through 3"

7. Page 5, line 22.
Following: "sections"
Strike: "and 2"
Insert: "through 3"

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

HB 767, be amended as follows:

1. Page 3, line 10 through line 11.
Following: "(a)"
Strike: remainder of line 10 through "description" on line 11
Insert: "the driver's or licensee's name, driver's license number, and date of birth"

2. Page 3, line 19 through line 20.
Following: "records" on line 19
Strike: remainder of line 19 through "furnished" on line 20
Insert: "a change in license status or conviction activity is to be reported"

3. Page 3, line 28.
Strike: "\$1"
Insert: "8 cents"

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

JUDICIARY (Grimes, Chairman):
SJR 32, introduced joint resolution, be amended as follows:

4/11/2003

1. Title, line 8.
Following: "THE"
Strike: "RELATIONSHIP BETWEEN"
Following: "COSTS"
Insert: "AND AVAILABILITY"
Following: "OF"
Strike: "PROFESSIONAL"

2. Title, line 9.
Following: "AND"
Insert: "HEALTH CARE"

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Following: "PROVIDERS"
Insert: "ASSOCIATED WITH HEALTH CARE FACILITIES"

3. Title, line 9 through line 10.
Strike: ", " on line 9 through "MONTANA" on line 10

4. Page 1, line 13.
Following: "cost of"
Strike: "professional"

5. Page 1, line 18.
Following: "provide"
Strike: "professional"

6. Page 1, line 20.
Following: "for"
Strike: "professional"

7. Page 1, line 21.
Following: "years,"
Strike: "are"
Insert: "may be"

8. Page 1, line 23.
Following: "for"
Strike: "professional"
Following: "and"
Insert: "health care"
Following: "providers"
Insert: "associated with health care facilities"

9. Page 1, line 24.
Following: line 23
Strike: "are"
Insert: "may be"
Following: "in"
Strike: "rural areas of"

10. Page 1, line 26 through line 27.
Strike: line 26 through line 27 in their entirety

11. Page 1, line 29.
Following: "for"
Strike: "professional"

12. Page 1, line 30.
Following: "and"
Insert: "health care"

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Following: "providers"

Insert: "associated with health care facilities"

13. Page 2, line 4.

Following: "the"

Strike: "relationship between"

Following: "costs"

Insert: "and availability"

Following: "of"

Strike: "professional"

14. Page 2, line 5.

Following: the first "and"

Insert: "health care"

15. Page 2, line 5 through line 6.

Following: "providers" on line 5

Strike: remainder of line 5 through "Montana" on line 6

Insert: "associated with health care facilities"

16. Page 2, line 7.

Following: "the"

Strike: "professional"

17. Page 2, line 8.

Following: "to"

Strike: "professional"

Following: "and"

Insert: "health care"

Following: "providers"

Insert: "associated with health care facilities"

18. Page 2, line 9.

Following: "increasing"

Strike: "access to"

Insert: "availability of"

19. Page 2, line 10.

Following: "coverage"

Strike: ", especially for health care facilities and providers in rural communities"

20. Page 2, line 11.

Following: the first "the"

Strike: "relationship between"

Insert: "factors affecting"

Following: the first "and"

Insert: "health care"

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Following: "providers"

Insert: "associated with health care facilities;"

21. Page 2, line 12.

Strike: "potential related tort reform measures;"

22. Page 2, line 13.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

23. Page 2, line 14 through line 15.

Following: "system" on line 14

Strike: remainder of line 14 through "Panel" on line 15

24. Page 2, line 18.

Following: the first "and"

Insert: "health care"

Following: "providers"

Insert: "associated with health care facilities"

And, as amended, be adopted. Report adopted.

STATE ADMINISTRATION (Cobb, Chairman):

4/11/2003

PRELIMINARY REPORTS

SR 7, be adopted. Report adopted.

SR 8, be adopted. Report adopted.

SR 9, be adopted. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **House Bill 201**

Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 201** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 201** (reference copy -- salmon) be amended as follows:

1. Page 3, line 26.

Strike: "under this section"

Insert: "for a federal write-in absentee ballot"

2. Page 6, line 4.

Strike: ";

Insert: ". This information is sufficient to meet any identification requirements provided by law for an elector."

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3. Page 6, line 7.

Following: "ballot for"

Insert: "that election or for"

For the House:

D. Brown, Chairman

Jent

Wagman

For the Senate:

Sprague, Chairman

Gebhardt

Wheat

CONFERENCE COMMITTEE
on **House Bill 259**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered **House Bill 259** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 259** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 6.

Following: "~~BORDER~~"

Insert: "BETWEEN THE CANADIAN BORDER AND REFERENCE MARKER 133 NORTHWEST OF WHITEFISH"

2. Page 1, line 12.

Following: "61-8-310,"

Strike: "AND"

3. Page 1, line 13.

Following: "section,"

Insert: "and subsection (2) of this section,"

4. Page 1.

Following: line 22

Insert: "(2) The speed limit for vehicles traveling on U.S. highway 93 between reference marker 133 northwest of Whitefish and the Idaho border is 65 miles an hour at all times. The speed limit imposed by this subsection ceases to be effective if U.S. highway 93 is upgraded to a continuous four-lane highway."

Renumber: subsequent subsections

5. Page 1, line 26.

Strike: "SUBSECTION"

Insert: "subsections"

Following: "(2)"

Insert: "and (2)"

6. Page 2, line 1.

Strike: "SUBSECTION"

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Insert: "subsections"

Following: "(2)"

Insert: "and (2)"

For the House:

Maedje, Chairman
Lake
Gallik

For the Senate:

DePratu, Chairman
Curtiss
Cocchiarella

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 277**
Report No. 1, April 11, 2003

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 277** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 277** (reference copy -- salmon) be accepted by the House.

For the House:

Younkin, Chairman
Haines
Lindeen

For the Senate:

Sprague, Chairman
Gebhardt
McCarthy

FIRST READING AND COMMITMENT OF BILLS

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

SR 10, introduced by Cobb (by request of the Senate State Administration Standing Committee), referred to State Administration.

MOTIONS

HB 649 - Senator Elliott moved **HB 649** be taken from the Fish and Game committee, printed and placed on second reading. Motion **failed** on a voice vote.

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 work through the week.

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

WHEREAS, Parkinson's disease, a progressive disorder of the central nervous system, affects more than one million people in the United States; and

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WHEREAS, there is treatment to ease the symptoms, but there is not yet a cure; and

WHEREAS, the American Parkinson Disease Association, Inc., founded in 1961, has sought to "Ease the Burden and Find the Cure" for this disease through research, patient and family services, education and sponsorship of 65 chapters, 57 information and referral centers, and 800 support groups throughout the United States; and

WHEREAS, April 11th marks the birthday of Dr. James Parkinson who first recognized the disease now named for him; and

WHEREAS, the world and the nation will observe "Parkinson's Disease Awareness Month" in April 2003;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that April 2003 be proclaimed as Parkinson's Disease Awareness Month in the state of Montana.

BOB KEENAN
President of the Senate

DOUG MOOD
Speaker of the House

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 8:30 a.m., Saturday, April 12, 2003. Motion carried.

Senate adjourned at 5:08 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate