

**SENATE JOURNAL
58TH LEGISLATURE
EIGHTIETH LEGISLATIVE DAY**

Helena, Montana
April 14, 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 seventy-ninth legislative day.

SPECIAL ORDERS OF THE DAY

Home School students from Three Forks, Willow Creek and Cardwell entertained the Senate with several musical selections on their fiddles. The Headwaters Junior Fiddlers have been together for about 4 years and entertain at various functions.

REPORTS OF STANDING COMMITTEES

BILL REPORT

Correctly printed: **SR 10.**

Examined by the sponsor and found to be correct: **SB 34, SB 65, SB 76, SB 80, SB 86, SB 98, SB 105, SB 110, SB 111, SB 113, SB 115, SB 137, SB 143, SB 146, SB 152, SB 159, SB 209, SB 226, SB 284, SB 389, SB 429, SB 432, SB 450.**

Signed by the President at 9:00 a.m., April 11, 2003: **SB 34, 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.**

Signed by the President at 10:00 a.m., April 12, 2003: **SB 65, SB 111, SB 115.**

Signed by the Secretary of the Senate at 10:00 a.m., April 11, 2003: **SB 34, 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.**

Signed by the Secretary of the Senate at 8:00 a.m., April 14, 2003: **SB 65, SB 111, SB 115.**

Signed by the Speaker at 11:35 a.m., April 11, 2003: **SB 34, 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.**

Signed by the Speaker at 8:30 a.m., April 14, 2003: **SB 65, SB 111, SB 115.**

Delivered to the Governor for approval at 7:20 a.m., April 14, 2003: **SB 34, 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.**

Delivered to the Governor for approval at 10:00 a.m., April 14, 2003: **SB 65, SB 111, SB 115.**

LEGISLATIVE ADMINISTRATION (Grimes, Chairman):

4/14/2003

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 12 noon, Saturday, April 12, 2003:

TITLE

NAME

Pages:

Kacee Tash, Dillon, MT
Colin Dow, Billings, MT
Drew Cummings, Lewistown, MT

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Matthew Best, Gt. Falls, MT
Breanna Wilson, Missoula, MT
Hannah Jacoby, Bozeman, MT
Joshua York, Polson, MT
Chance Dupuis Polson, MT

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, April 14, 2003:

<u>TITLE</u>	<u>NAME</u>	<u>SPONSOR</u>
Pages:	Halley Montalban, Billings, MT	Senator Bohlinger
	Brad Foster, Townsend, MT	Senator Grimes
	Alexandra Lane, Missoula, MT	Senator Squires
	Heather Stricker, Laurel, MT	Senator McGee
	Hannah Lee, Missoula, MT	Senator Cocchiarella

Report Adopted.

**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 McCarthy in the chair.

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

HB 42 - Senator Tash moved **HB 42** be concurred in. Motion carried with Senators Cooney and Toole voting nay.

HB 713 - Senator Black moved **HB 713** be concurred in. Motion **failed** as follows:

Yeas: Anderson, Barkus, Black, Bohlinger, Butcher, Curtiss, DePratu, Gebhardt, Glaser, Johnson, Laible, Mahlum, McGee, O'Neil, Perry, Tash, Taylor, Thomas, Tropila.
Total 19

Nays: Bales, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Grimes, Hansen, Harrington, Kitzenberg, Mangan, McCarthy, McNutt, Nelson, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stonington, Story, Tester, Toole, Wheat, Zook, Mr. President.
Total 29

Absent or not voting: None.
Total 0

Excused: Pease, Stapleton.
Total 2

HB 713 - Senator F. Thomas moved **HB 713** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bales, Barkus, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Gebhardt, Grimes, Hansen,

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Harrington, Johnson, Kitzenberg, Laible, McCarthy, McNutt, Nelson, O'Neil, Roush, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tester, Toole, Wheat, Zook, Mr. President.
Total 34

Nays: Anderson, Black, Bohlinger, Butcher, Curtiss, DePratu, Glaser, Mahlum, Mangan, McGee, Perry, Tash, Taylor, Thomas, Tropila.
Total 15

Absent or not voting: None.
Total 0

Excused: Pease.
Total 1

SB 57 - Free Conference Committee Report No. 1 - Senator Keenan moved the **Free** Conference Committee report to **SB 57** be adopted. Motion carried unanimously.

SB 101 - Governor's Amendments - Senator Mahlum moved Governor's amendments to **SB 101** be concurred in. Motion carried unanimously.

*****SB 271 - House Amendments** - Senator Stapleton moved House amendments to **SB 271** be **not** concurred in. Motion carried unanimously.

SJR 18 - House Amendments - Senator Harrington moved House amendments to **SJR 18** be concurred in. Motion carried unanimously.

SJR 32 - Senator Grimes moved **SJR 32** be adopted. Motion carried unanimously.

HJR 2 - Senator Story moved **HJR 2** be concurred in. After discussion, Senator Ellingson moved **HJR 2**, second reading copy, be amended as follows:

1. Page 2, line 14 through line 16.

Strike: "; and" on line 14 through "condition" on line 16

2. Page 2, line 20.

Strike: "\$1,241,443,000"

Insert: "\$1,228,915,000"

Strike: "\$1,296,456,000"

Insert: "\$1,283,928,000"

3. Page 3, line 6 through line 8.

Strike: "EXCEPT" on line 6 through "Division." on line 8

4. Page 3, line 15.

Strike: "\$556.874"

Insert: "\$550.238"

Strike: "\$594.339"

Insert: "\$587.703"

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

5. Page 3, line 19.

Strike: "~~182.196~~"

Insert: "181.228"

Strike: "~~192.538~~"

Insert: "191.570"

6. Page 3, line 21.

Strike: "74.540"

Insert: "75.803"

Strike: "75.581"

Insert: "76.844"

7. Page 4, line 2.

Strike: "64.782"

Insert: "58.315"

Strike: "69.223"

Insert: "62.756"

8. Page 4, line 6.

Strike: "44.755"

Insert: "45.557"

Strike: "45.811"

Insert: "46.613"

9. Page 4, line 16.

Strike: "7.516"

Insert: "8.378"

Strike: "4.625"

Insert: "5.487"

10. Page 4, line 18.

Strike: "14.600"

Insert: "16.960"

Strike: "14.469"

Insert: "16.829"

11. Page 4, line 20.

Strike: "14.060"

Insert: "10.316"

Strike: "17.331"

Insert: "13.587"

12. Page 5, line 20.

Strike: "~~\$1,241.443~~"

Insert: "\$1,228.915"

Strike: "~~\$1,296.456~~"

Insert: "\$1,283.928"

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Amendment **not** adopted as follows:

Yeas: Bohlinger, Cobb, Cooney, Cromley, Curtiss, Ellingson, Elliott, Hansen, Johnson, Kitzenberg, Mangan, McCarthy, Nelson, O'Neil, Pease, Roush, Ryan, Schmidt, Sprague, Squires, Toole, Wheat.
Total 22

Nays: Anderson, Bales, Barkus, Black, Butcher, Cocchiarella, DePratu, Esp, Gebhardt, Glaser, Grimes, Harrington, Laible, Mahlum, McGee, McNutt, Perry, Shea, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Zook, Mr. President.
Total 28

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 2 - Senator Story's motion that **HJR 2** be concurred passed as follows:

Yeas: Anderson, Bales, Barkus, Black, Butcher, Cobb, Cocchiarella, Curtiss, DePratu, Esp, Gebhardt, Glaser, Grimes, Johnson, Kitzenberg, Laible, Mahlum, McGee, McNutt, Nelson, Pease, Perry, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Tropila, Zook, Mr. President.
Total 34

Nays: Bohlinger, Cooney, Cromley, Ellingson, Elliott, Hansen, Harrington, Mangan, McCarthy, O'Neil, Roush, Ryan, Schmidt, Shea, Toole, Wheat.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 11 - Senator Tropila moved **HB 11** be concurred in. Motion carried unanimously.

HB 261 - Senator Stapleton moved **HB 261** be concurred in. Motion carried with Senator Taylor voting nay.

HB 722 - Senator Cobb moved **HB 722** be concurred in. Motion carried unanimously.

HB 767 - Senator Stonington moved **HB 767** be concurred in. Motion carried unanimously.

HB 201 - Free Conference Committee Report No. 1 - Senator Sprague moved the **Free** Conference Committee report to **HB 201** be adopted. Motion carried unanimously.

HB 277 - Conference Committee Report No. 1 - Senator Sprague moved the Conference Committee report to **HB 277** be adopted. Motion carried unanimously.

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

HB 259 - Conference Committee Report No. 1 - Senator DePratu moved the Conference Committee report to **HB 259** be adopted. Motion carried unanimously.

HB 94 - Governor's Amendments - Senator Gebhardt moved Governor's amendments to **HB 94** be concurred in. Motion carried unanimously.

HB 408 - Governor's Amendments - Senator Esp moved Governor's amendments to **HB 408** be concurred in. Motion carried unanimously.

HB 441 - Governor's Amendments - Senator Black moved Governor's amendments to **HB 441** be concurred in. Motion carried unanimously.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Pro Tempore McNutt in the chair. Chairman McCarthy moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 485 passed 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, McGee, McNutt, Nelson, O'Neil, Pease, Perry, Ryan, Schmidt, Shea, Sprague, Squires, Stapleton, Stonington, Story, Tash, Taylor, Thomas, Tropila, Wheat, Zook.
Total 43

Nays: Black, Cooney, Elliott, Roush, Tester, Toole.
Total 6

Absent or not voting: None.
Total 0

Excused: Mr. President.
Total 1

SB 489 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

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 491 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, Stapleton, Stonington, Story, Tash, Taylor, Tester, Thomas, Toole, Tropila, Wheat, Zook, Mr. President.
Total 49

Nays: O'Neil.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 3, 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 4, 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.

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 7 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 10 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 12, requiring 2/3 of each House, concurred in as follows:

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

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 13, as amended by the Senate, concurred in as follows:

Yeas: Anderson, Bales, Barkus, Black, Bohlinger, Butcher, Cobb, Cooney, Cromley, Curtiss, DePratu, Elliott, Esp, Gebhardt, Glaser, Grimes, Hansen, Harrington, Johnson, Kitzenberg, Laible, Mahlum, 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 47

Nays: Cocchiarella, Ellingson, Mangan.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 18, as amended by the Senate, concurred in as follows:

Yeas: Anderson, 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.
Total 46

Nays: Bales, Gebhardt, Stapleton, Mr. President.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 185, as amended by the Governor, 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.

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Total 49

Nays: Curtiss.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 211, as amended by the Free Conference Committee Report No. 1, 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

HB 283, as amended by the Free Conference Committee Report No. 1, 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 744, 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,

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

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 748, 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

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Zook, Chairman):
SB 492, do pass. Report adopted.

4/14/2003

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 126**
Report No. 1, April 12, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 126** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

1. House Committee on Taxation amendments, third reading copy, dated March 19, 2003.

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

And, recommend that **Senate Bill 126** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 9.

Following: "EXEMPTION:"

Insert: "CLARIFYING PROPERTY TAX PROVISIONS RELATING TO INSURANCE COMPANIES BY REPEALING SPECIFIC LAWS THAT ARE REDUNDANT WITH GENERAL PROPERTY TAX LAWS;"

2. Title, page 1, line 10.

Following: line 9

Strike: "AND"

3. Title, page 1, line 11.

Following: "1999"

Insert: "; AND REPEALING SECTIONS 15-24-601 AND 15-24-602, MCA"

4. Page 15, line 6.

Insert: "NEW SECTION. **Section 4. Repealer.** Sections 15-24-601 and 15-24-602, MCA, are repealed."

Renumber: subsequent section

For the Senate:

Story, Chairman
Black
Toole

For the House:

Devlin, Chairman
Laslovich
Waitschies

FREE CONFERENCE COMMITTEE
on **House Bill 298**
Report No. 1, April 14, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 298** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 298** (reference copy -- salmon) be amended as follows:

1. Title, line 5.

Following: "~~A FEE~~"

Insert: "FEES"

2. Title, line 6.

Strike: "CERTAIN COSTS OF A REVIEW"

Insert: "AN EXAMINATION"

Strike: "DIVISIONS"

Insert: "A DIVISION"

Following: "LAND"

Insert: "TO DETERMINE WHETHER IT IS"

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

3. Page 1, line 13.

Strike: "ACTUAL COSTS"

Insert: "fees for examination of division"

4. Page 1, line 30 through page 2, line 1.

Strike: "COLLECT" on page 1, line 30 through "76-3-611(2)(A)" on page 2, line 1

Insert: "examine a division of land to determine whether or not the requirements of this chapter apply to the division and may establish reasonable fees, not to exceed \$200, for the examination"

5. Page 2, line 5.

Strike: "ACTUAL COSTS"

Insert: "fees for examination of division"

6. Page 3, lines 2 and 3.

Strike: "COLLECT" on line 2 through "76-3-611(2)(A)"

Insert: "examine a division of land to determine whether or not the requirements of this chapter apply to the division and may establish reasonable fees, not to exceed \$200, for the examination"

For the House:

Younkin, Chairman
Jacobson
Noennig

For the Senate:

Gebhardt, Chairman
McGee
Wheat

FREE CONFERENCE COMMITTEE
on **House Bill 564**
Report No. 1, April 14, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 564** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 564** (reference copy -- salmon) be amended as follows:

1. Page 5, line 27.

Strike: "at least 110% of"

For the House:

McKenney, Chairman
Lange
Lindeen

For the Senate:

Mahlum, Chairman
Anderson
Cocchiarella

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

MOTIONS

CONFERENCE COMMITTEES

SB 304 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 304**, and request the House to appoint a like committee to confer on House amendments to **SB 304**. Motion carried. The President appointed the following members:

Senator Johnson, Chair
Senator Anderson
Senator Cocchiarella

SB 347 - Senator Thomas moved the President be authorized to appoint a **Conference** Committee to **SB 347**, and request the House to appoint a like committee to confer on House amendments to **SB 347**. Motion carried. The President appointed the following members:

Senator Esp, Chair
Senator Keenan
Senator Stonington

FREE CONFERENCE COMMITTEES

SB 252 - Senator Thomas moved the Conference Committee on **SB 252** be dissolved and that the President be authorized to appoint a **Free** Conference committee to **SB 252**, and request the House to appoint a like committee to confer on **SB 252**. Motion carried. The President appointed the following members:

Senator Butcher, Chair
Senator Stapleton
Senator Squires

SB 271 - Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee to **SB 271**, and request the House to appoint a like committee to confer on **SB 271**. Motion carried. The President appointed the following members:

Senator Glaser, Chair
Senator Stapleton
Senator Elliott

SB 326 - Senator Thomas moved the **Free** Conference Committee on **SB 326** be dissolved and that the President be authorized to appoint a **Free** Conference committee to **SB 326**, 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 Laible
Senator Wheat

HJR 31 - Senator Thomas moved the Senate accede to the request of the House that the Conference Committee on **HJR 31** be dissolved and that the President be authorized to appoint a **Free** Conference committee to **HJR 31**, to meet with a like committee to confer on **HJR 31**. Motion carried. The President appointed the following members:

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 14, 2003

Senator Esp, Chair
Senator Cobb
Senator Schmidt

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Tuesday, April 15, 2003. Motion carried.

Senate adjourned at 3:49 a.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate