

SENATE JOURNAL
FIFTY-NINTH LEGISLATIVE DAY - MARCH 17, 2005

SENATE JOURNAL
59TH LEGISLATURE
FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 17, 2005

Senate Chambers
State Capitol

Senate convened at 12:30 p.m. President Tester presiding. Invocation by Fr. Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Grimes, Harrington, Wheat, and Williams, excused. Quorum present.

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 45

Nays: Shockley.
Total 1

Absent or not voting: None.
Total 0

Excused: Grimes, Harrington, Wheat, Williams.
Total 4

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL: 3/17/2005
Correctly printed: **SB 207, SB 514, SB 515, HB 32, HB 103, HB 174, HB 191, HB 196, HB 223, HB 234, HB 262, HB 318, HB 481, HB 502, HB 556, HB 631, HB 638, HB 653, HB 660, HB 709, HJR 5, HJR 21.**
Correctly engrossed: **SB 275, SB 345, HB 351, HB 396, HB 457, HB 737, HB 738, HJR 1.**
Correctly enrolled: **SB 24, SB 51, SB 84, SB 98, SB 187.**
Signed by the Speaker at 4:36 p.m., March 16, 2005: **SB 6, SB 17, SB 23, SB 53, SB 54, SB 67, SB 69, SB 79, SB 94, SB 99, SB 100, SB 106, SB 141, SB 169, SB 454.**
Signed by the Secretary of the Senate at 10:17 a.m., March 16, 2005: **SB 6, SB 17, SB 23, SB 53, SB 54, SB 67, SB 69, SB 79, SB 94, SB 99, SB 100, SB 106, SB 141, SB 169, SB 454.**
Signed by the President at 1:30 p.m., March 16, 2005: **SB 6, SB 17, SB 23, SB 53, SB 54, SB 67, SB 69, SB 79, SB 94, SB 99, SB 100, SB 106, SB 141, SB 169, SB 454.**
Delivered to the Governor for approval at 9:50 a.m., March 17, 2005: **SB 6, SB 17, SB 23, SB 53, SB 54, SB 67, SB 69, SB 79, SB 94, SB 99, SB 100, SB 106, SB 141, SB 169, SB 454.**

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hansen, Chairman): 3/17/2005
HB 351, be amended as follows:

1. Title, line 8.

Following: "ARBITRATION;"

Insert: "REQUIRING A LESSEE TO PROVIDE A LIST OF IMPROVEMENTS AND THEIR REASONABLE VALUE PRIOR TO RENEWAL OF A LEASE AND REQUIRING THAT THE INFORMATION BE PROVIDED TO A PARTY REQUESTING TO BID ON THE LEASE;"

2. Page 1, line 14.

Following: "(1)"

Insert: "Prior to renewal of a lease, the department shall request from the lessee a listing of improvements on the land associated with the lease, including the reasonable value of the improvements. This information must be

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provided to any party requesting to bid on the lease."

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

HJR 5, be concurred in. Report adopted.

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Cocchiarella, Chairman): 3/17/2005

HB 481, be concurred in. Report adopted.

HB 653, be concurred in. Report adopted.

HB 709, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Ryan, Chairman): 3/17/2005

HB 660, be concurred in. Report adopted.

FINANCE AND CLAIMS (Cooney, Chairman): 3/17/2005

SB 275, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "PROGRAM;"

Insert: "CHANGING THE NAME OF THE PROGRAM TO THE GENETICS PROGRAM;"

2. Title, line 5.

Following: line 4

Insert: "TEMPORARILY"

3. Page 1, line 11.

Following: "fee."

Insert: "(1)"

4. Page 1, line 14.

Strike: "\$1"

Insert: "the fee provided for in subsection (2)"

5. Page 1, line 16.

Strike: "voluntary"

6. Page 1.

Following: line 18

Insert: "(2) (a) From [the effective date of this act] through June 30, 2007, the fee is \$1.

(b) Beginning July 1, 2007, the fee is 70 cents."

7. Page 1, line 20.

Following: "50-19-211."

Strike: "Voluntary"

Insert: "Statewide"

Following: "comprehensive"

Strike: " voluntary"

8. Page 1, line 25.

Following: "and"

Insert: "self-supporting"

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9. Page 2, line 5.
Following: "shall"
Insert: "preferably"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Roush, Chairman):
HB 174, be concurred in. Report adopted.
HJR 21, be concurred in. Report adopted.

3/17/2005

PUBLIC HEALTH, WELFARE AND SAFETY (Cromley, Chairman):
HB 32, be concurred in. Report adopted.
HB 396, be amended as follows:

3/17/2005

1. Page 1, line 28.
Following: "authorization"
Insert: ", acknowledging and agreeing to the liability provisions in subsection (4),"

2. Page 2, line 5 through line 8.
Strike: subsection (c) in its entirety
Renumber: subsequent subsections

3. Page 3, line 6.
Strike: "WILL"
Insert: "must"

4. Page 3, line 7.
Strike: "STUDENT'S"
Insert: "pupil's"
Following: "IN A "
Insert: "predetermined"
Following: "LOCATION"
Insert: "or locations"
Strike: "STUDENT"
Insert: "pupil"
Strike: "IMMEDIATE"

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

HB 457, be amended as follows:

1. Page 1.
Following: line 21
Insert: "(3) "General supervision" means face-to-face communication, direction, observation, and evaluation by the radiologist at least monthly, with interim supervision occurring by other methods, such as telephonic, electronic, or written communication."
Renumber: subsequent subsections

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2. Page 2, line 17.

Strike: "and"

3. Page 2, line 18.

Following: "radiology"

Insert: ", and who resides and practices in Montana"

4. Page 3, line 16.

Following: "~~department~~"

Insert: "in the facility"

5. Page 3, line 22.

Following: "section"

Insert: ", except that when contrast media is used, a licensed physician or additional medical personnel trained in advanced cardiac life support must be immediately available in the facility"

6. Page 4.

Following: line 9

Insert: "(c) The rules may specify levels of supervision based on education and experience, but at a minimum, the level of supervision must be general supervision."

Renumber: subsequent subsection

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

HB 556, be concurred in. Report adopted.

HB 737, be amended as follows:

1. Title, line 17 through line 18.

Strike: "REMOVING" on line 17 through "ABORTION;" on line 18

2. Page 7, line 3.

Following: "~~abortion:~~"

Insert: "A physician assistant may not perform an abortion."

3. Page 28, line 7.

Strike: "or physician assistant"

4. Page 28, line 22.

Following: "~~not~~"

Insert: "not"

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

HB 738, be amended as follows:

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1. Title, line 7.

Following: "DUTIES"

Insert: ", MEMBERSHIP,"

2. Page 2, line 5.

Strike: the first ", "

Insert: "and"

3. Page 2, lines 5 and 6.

Strike: "that" on line 5 through "process" on line 6

Insert: "for conducting its work"

4. Page 2, line 12.

Strike: "and"

5. Page 2, line 14.

Following: "services"

Insert: "; and

(e) recommend the best and most cost-effective method of regulating and auditing provider services"

6. Page 2, line 30 through page 3, line 2.

Strike: "must" on line 30 through "department." on line 2

Insert: "is as follows:

(a) at least three providers;

(b) at least three of a combination of consumers of provider services and family members of consumers;

(c) two employees of the department;

(d) one representative from the legislative fiscal division;

(e) one representative from the governor's office on budget and program planning;

(f) one member of each of the two major political parties of the house of representatives; and

(g) one member of each of the two major political parties of the senate.

(2)"

Renumber: subsequent subsections

7. Page 4.

Following: line 1

Insert: "(5) In reviewing existing reimbursement rates and recommending new or altered reimbursement rates to be paid to providers, the commission shall consider the following factors:

(a) the level of financial risk taken by a provider in providing services;

(b) the complexity of the provider's services;

(c) the capital investment made by the provider;

(d) the administrative overhead in the provider's business; and

(e) any other matter affecting the cost of the provider's services."

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

HJR 1, be amended as follows:

1. Page 1, line 20.

Strike: "the former"

Following: "Governor"

Insert: "Judy Martz"

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

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 3/17/2005

SB 24, introduced by Cromley
SB 51, introduced by Hansen
SB 57, introduced by Laible
SB 64, introduced by Brueggeman
SB 84, introduced by Squires
SB 98, introduced by Tropila
SB 187, introduced by Shockley
SB 243, introduced by Cocchiarella

House bills passed and transmitted to the Senate for concurrence: 3/17/2005

HB 236, introduced by Jackson
HB 385, introduced by Wells
HB 406, introduced by Bergren
HB 475, introduced by Buzzas
HB 513, introduced by Raser
HB 672, introduced by Butcher
HB 700, introduced by Mendenhall
HB 721, introduced by Parker
HB 759, introduced by Koopman

House joint resolution passed and transmitted to the Senate for concurrence: 3/17/2005

HJR 2, introduced by Waitschies

MOTIONS

Senator Gallus moved **HB 493** be passed for the day. Motion carried.

Senator Mangan moved action on **HB 367** be reconsidered. Motion carried.

Senator Mangan moved **HB 367** be placed on 2nd reading calendar on the 60th legislative day. Motion carried with Senator McGee dissenting.

Senator Balyeat moved his vote on **HB 463** be changed from "nay" to "aye". Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 514, introduced by Elliott, referred to Taxation.
SB 515, introduced by Elliott, referred to Agriculture, Livestock and Irrigation.

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

HB 236, introduced by Jackson, referred to Natural Resources.
HB 385, introduced by Wells, referred to Judiciary.
HB 406, introduced by Bergren, Tester, Hanson, Parker, Facey, Black, Lenhart, Dowell, Becker, Kitzenberg, Galvin-Halcro, Harrington, Klock, Keane, Roush, Wanzenried, Stahl, Musgrove, Windham, Callahan, Wiseman, Wilson, Windy Boy, Mangan, referred to Agriculture, Livestock and Irrigation.
HB 475, introduced by Buzzas, referred to Taxation.
HB 513, introduced by Raser, referred to Taxation.
HB 672, introduced by Butcher, referred to Education and Cultural Resources.

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HB 700, introduced by Mendenhall, referred to Taxation.

HB 721, introduced by Parker, Harris, Buzzas, Roberts, Groesbeck, Jacobson, Hiner, Campbell, Dickenson, Milburn, Jopek, Peterson, Hendrick, Wilson, Raser, Dowell, Branae, Tester, Grimes, Wanzenried, Franklin, Musgrove, Hamilton, Wiseman, Henry, Sesso, Windham, Cohenour, Galvin-Halcro, Eaton, Golie, Grinde, Noonan, Gutsche, Driscoll, Furey, Squires, Caferro, McGee, Elliott, Bergren, Becker, Windy Boy, Matthews, Perry, Laslovich, Stahl, referred to Judiciary.

HB 759, introduced by Koopman, referred to Highways and Transportation.

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

HJR 2, introduced by Waitschies (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Ellingson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator O'Neil in the chair.

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

SB 61 - House Amendments - Senator Cocchiarella moved House amendments to **SB 61** be concurred in. Motion carried unanimously.

SB 207 - Senator Perry moved **SB 207** do pass. Motion carried unanimously.

SB 345 - Senator Mangan moved **SB 345** do pass.

SB 345 - Senator Mangan moved **SB 345**, second reading copy, be amended as follows:

1. Page 1, line 23.

Following: "may"

Insert: ": (i) by public notice, invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking the redevelopment or rehabilitation of an urban renewal area or any part of an urban renewal area; or (ii)"

2. Page 1, line 28.

Following: "notice"

Insert: "of the request for proposals or"

Following: "of"

Insert: "the"

Following: "7-1-4127"

Insert: ", "

3. Page 2, line 14.

Following: "as"

Insert: "accept a proposal and"

4. Page 2, line 27.

Strike: "competitively bid and"

Amendment adopted unanimously.

SB 345 - Senator Mangan moved **SB 345**, second reading copy, be further amended as follows:

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1. Page 3, line 11.

Following: "z"

Insert: "z"

2. Page 3, line 12.

Following: "(i)"

Insert: "(i)"

3. Page 3, line 18.

Following: "plan"

Insert: "(ii) loan repayments received after the date of termination of the tax increment provision from loans made pursuant to a binding loan commitment; or
(iii) funds from loans previously made pursuant to a loan program established under an urban renewal plan"

Amendment adopted unanimously.

SB 345 - Senator Mangan moved **SB 345**, second reading copy, be further amended as follows:

1. Page 3.

Following: line 18

Insert: "(c) The use of repayments or the use of funds from loans under subsections (2)(b)(ii) or (2)(b)(iii) must terminate no later than 30 years from the date of the adoption of the tax increment provisions."

Amendment adopted unanimously.

SB 345 - Senator Mangan moved **SB 345**, as amended, do pass. Motion carried unanimously.

HB 191 - Senator Ellingson moved consideration of **HB 191** be placed below HB 502 on the second reading board. Motion carried.

HB 196 - Senator Cromley moved **HB 196** be concurred in. Motion carried unanimously.

HB 262 - Senator Shockley moved **HB 262** be concurred in. Motion carried unanimously.

HB 318 - Senator Grimes moved **HB 318** be concurred in.

HB 318 - Senator Weinberg moved **HB 318**, second reading copy, be amended as follows:

1. Page 2, line 14.

Strike: "diabetic"

2. Page 2, lines 14 and 15.

Strike: "EDUCATION, TREATMENT, SERVICES, and supplies"

Insert: "insulin pumps"

3. Page 2, line 15.

Following: "(3)"

Insert: "(3)"

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Amendment **not** adopted as follows:

Yeas: Black, Brueggeman, Ellingson, Elliott, Gallus, Gillan, Hansen, Hawks, Kitzenberg, Larson, Laslovich, Lewis, Mangan, Moss, Roush, Ryan, Smith, Squires, Toole, Tropila, Weinberg, Mr. President.
Total 22

Nays: Bales, Balyeat, Barkus, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Esp, Essmann, Gebhardt, Grimes, Keenan, Laible, Lind, McGee, O'Neil, Perry, Schmidt, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 24

Absent or not voting: None.
Total 0

Excused: Harrington, Pease, Wheat, Williams.
Total 4

HB 318 - Senator Grimes moved **HB 318** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Grimes, Hansen, Hawks, Keenan, Laible, Laslovich, Lewis, Lind, Mangan, McGee, O'Neil, Perry, Roush, Schmidt, Shockley, Stapleton, Steinbeisser, Story, Tash, Tropila, Williams, Mr. President.
Total 37

Nays: Black, Gillan, Harrington, Kitzenberg, Larson, Moss, Ryan, Smith, Squires, Toole, Weinberg.
Total 11

Absent or not voting: None.
Total 0

Excused: Pease, Wheat.
Total 2

HB 502 - Senator Balyeat moved **HB 502** be concurred in. Motion carried unanimously.

HB 191 - Senator Ellingson moved **HB 191** be concurred in. Motion carried as follows:

Yeas: Balyeat, Barkus, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Kitzenberg, Larson, Laslovich, Lewis, Lind, Mangan, Moss, O'Neil, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Story, Tash, Toole, Tropila, Weinberg, Williams, Mr. President.
Total 39

Nays: Bales, Black, Brueggeman, Curtiss, Keenan, Laible, McGee, Stapleton, Steinbeisser.
Total 9

Absent or not voting: None.
Total 0

Excused: Pease, Wheat.
Total 2

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

HB 638 - Senator Cocchiarella moved **HB 638** be concurred in. Motion carried unanimously.

SB 166 - House Amendments - Senator Black moved House amendments to **SB 166** be concurred in. Motion carried unanimously.

HB 103 - Senator Shockley moved **HB 103** be concurred in. Motion carried unanimously.

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HB 223 - Senator Lewis moved **HB 223** be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Gallus, Gillan, Hansen, Harrington, Hawks, Laible, Larson, Laslovich, Lewis, Lind, Moss, O'Neil, Perry, Roush, Shockley, Squires, Story, Tash, Toole, Weinberg, Williams, Mr. President.
Total 34

Nays: Balyeat, Essmann, Gebhardt, Grimes, Keenan, Kitzenberg, Mangan, McGee, Ryan, Smith, Stapleton, Steinbeisser, Tropila.
Total 13

Absent or not voting: None.
Total 0

Excused: Pease, Schmidt, Wheat.
Total 3

HB 234 - Senator Esp moved **HB 234** be concurred in. Motion carried unanimously.

Senator Ellingson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Tester in the chair. Chairman O'Neil 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 203 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 47

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

SB 333 passed as follows:

Yeas: Barkus, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Essmann, Gallus, Gillan, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 39

Nays: Bales, Balyeat, Black, Esp, Gebhardt, Grimes, McGee, Stapleton.
Total 8

Absent or not voting: None.
Total 0

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Excused: Harrington, Wheat, Williams.
Total 3

SB 376 passed as follows:

Yeas: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Kitzenberg, Larson, Laslovich, Lind, Mangan, Moss, Pease, Perry, Roush, Ryan, Schmidt, Smith, Squires, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.
Total 30

Nays: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Curtiss, Esp, Gebhardt, Grimes, Keenan, Laible, Lewis, McGee, O'Neil, Shockley, Stapleton, Steinbeisser, Story, Tash.
Total 20

Paired: Harrington, Wheat, Williams, Ayes; O'Neil, Stapleton, Story, Noes.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 370 concurred in as follows:

Yeas: Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 44

Nays: Bales, Curtiss, McGee.
Total 3

Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

HB 428 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 46

Nays: Curtiss.
Total 1

Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

HB 463 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott,

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Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, Pease, Perry, Roush, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 45

Nays: O'Neil, Shockley.
Total 2

Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

HJR 10 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 45

Nays: Esp, Stapleton.
Total 2

Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

HJR 18 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Mangan, McGee, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Tropila, Mr. President.
Total 42

Nays: Esp, Lind, Moss, Toole, Weinberg.
Total 5

Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

SB 18 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Mr. President.
Total 47

Nays: None.
Total 0

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Absent or not voting: None.
Total 0

Excused: Harrington, Wheat, Williams.
Total 3

UNFINISHED BUSINESS

Senator Tropila announced that the Senate basketball team won the Big Brothers Big Sisters basketball game against the House.

SPECIAL ORDERS OF THE DAY

Greg Trude addressed the body regarding his experience helping in the tsunami relief effort.

President Tester read a Senate resolution regarding St. Patrick's Day.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Ellingson moved that the Senate adjourn until 12:30 p.m., Friday, March 18, 2005. Motion carried.

Senate adjourned at 3:18 p.m.

BILL LOMBARDI
Secretary of Senate

JON TESTER
President of the Senate