

SENATE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 19, 2005

SENATE JOURNAL  
59TH LEGISLATURE  
SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana  
March 19, 2005

Senate Chambers  
State Capitol

Senate convened at 8:00 a.m. President Tester presiding. Invocation by Fr. Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Cobb, Gallus, and Ryan, excused. Quorum present.

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

Nays: Shockley.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Cobb, Gallus, Ryan.  
Total 3

REPORTS OF STANDING COMMITTEES

**BILLS AND JOURNAL:** 3/19/2005  
Correctly printed: **SB 275, SJR 29, HB 17, HB 44, HB 46, HB 88, HB 100, HB 113, HB 162, HB 201, HB 225, HB 269, HB 377, HB 481, HB 556, HB 653, HB 660, HB 709.**  
Correctly engrossed: **HB 49, HB 307, HB 615, HB 696.**

**JUDICIARY** (Wheat, Chairman): 3/19/2005  
**HB 49**, be amended as follows:

1. Title, line 7.  
**Following:** "CHANGING"  
**Strike:** "WHO"  
**Insert:** "WITH WHOM"  
**Following:** "REGISTER"  
**Strike:** "WITH"

2. Page 3, line 27.  
**Following:** "or"  
**Insert:** ", "  
**Strike:** "to the department"  
**Following:** "46-23-504(1)(b)"  
**Insert:** ", to the department and to the chief of police of the municipality or sheriff of the county from which the offender is moving"

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

**HB 307**, be amended as follows:

1. Title, line 8.

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**Following:** "LAUNDERING;"  
**Strike:** "AND"

2. Title, line 9.

**Following:** "FORFEITURE"

**Insert:** "AND SALE"

**Following:** "OFFENSE"

**Insert:** "; AND PROVIDING FOR SALE PROCEEDS TO BE DEPOSITED IN THE STATE GENERAL FUND"

3. Page 1, line 16.

**Strike:** "any state or"

**Following:** "United States"

**Insert:** "or the state in which the activity occurred"

4. Page 1, line 19.

**Strike:** "any state or"

**Following:** "the United States"

**Insert:** "or the state in which the committing or furthering of the commission of the activity occurs"

5. Page 1, line 22.

**Strike:** "any state or"

**Following:** "United States"

**Insert:** "or the state in which the activity occurred"

6. Page 1, line 24.

**Strike:** "any state or"

**Following:** "United States"

**Insert:** "or the state in which the activity occurred"

7. Page 2, line 2.

**Following:** line 1

**Strike:** "(3) The"

**Insert:** "(3)(a) Upon conviction, the"

8. Page 2, line 4.

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

9. Page 2, line 11.

**Following:** line 10

**Insert:** "(b) The sheriff of the county where forfeited property is located shall sell the property at auction. The proceeds of the sale must be deposited in the state general fund."

10. Page 2, line 15 through page 5, line 14.

**Strike:** section 2 through section 6 in their entirety

**Renumber:** subsequent section

11. Page 5, line 16.

**Strike:** "[Sections 1 through 6] are"

**Insert:** "[Section 1] is"

12. Page 5, line 17 through line 18.

**Strike:** "[sections 1 through 6]"

**Insert:** "[section 1]"

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

**HB 615**, be amended as follows:

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1. Title, page 1, line 4.  
**Strike:** "CRIMES"  
**Insert:** "VIOLATIONS"

2. Title, page 1, line 5.  
**Strike:** "OFFICE"  
**Insert:** "AUTHORITY"

3. Page 1, line 9.  
**Strike:** "crimes"  
**Insert:** "violations"  
**Strike:** "office"  
**Insert:** "-- authority"

4. Page 1, lines 9 through 12.  
**Strike:** subsection (1) in its entirety

5. Page 1, lines 13 through 14.  
**Strike:** "(2)" on line 13 through "who" on line 14  
**Insert:** "The department of justice, at the request of the department of environmental quality,"

6. Page 1, line 15.  
**Strike:** ". The office"  
**Insert:** "and"  
**Strike:** ", AT THEIR REQUEST,"

7. Page 1, line 16.  
**Strike:** "environmental crimes,"  
**Insert:** "violations of the provisions of Title 75"

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

**HB 696**, be amended as follows:

1. Title, line 5.  
**Following:** "TO"  
**Strike:** "ENSURE"  
**Insert:** "PROVIDE"

2. Page 1, line 19.  
**Following:** "provides"  
**Insert:** "provides"

3. Page 1, line 20.  
**Following:** "(a)"  
**Strike:** "provides"

4. Page 1, line 21.  
**Following:** "(b)"  
**Strike:** "provides"

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5. Page 1, line 23.  
**Following:** "cases,"  
**Strike:** "provides"

6. Page 1, line 24.  
**Following:** "(d)"  
**Strike:** "ensures"

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

**NATURAL RESOURCES** (Roush, Chairman):  
**SJR 29**, be adopted. Report adopted.  
**HB 206**, be concurred in. Report adopted.

3/19/2005

**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 Grimes in the chair.

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

**SB 117 - House Amendments** - Senator Cocchiarella moved House amendments to **SB 117** be concurred in. Motion carried unanimously.

**HB 377** - Senator Cocchiarella moved **HB 377** be concurred in. Motion carried as follows:

Yeas: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Gillan, Hansen, Harrington, Hawks, Larson, Laslovich, Lind, Mangan, Moss, Pease, Roush, Schmidt, Smith, Squires, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 25

Nays: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gebhardt, Grimes, Keenan, Kitzenberg, Laible, Lewis, McGee, O'Neil, Perry, Shockley, Stapleton, Steinbeisser, Story, Tash.  
Total 23

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 88** - Senator Williams moved **HB 88** be concurred in. Motion carried with Senator McGee voting nay.

**HB 481** - Senator Tash moved **HB 481** be concurred in. Motion carried with Senators Curtiss, Gebhardt, McGee, and O'Neil voting nay.

**HB 556** - Senator Cobb moved **HB 556** be concurred in. Motion carried unanimously.

**HB 653** - Senator Grimes moved consideration of **HB 653** be placed below **HB 162** on the second reading board. Motion carried.

**HB 660** - Senator Barkus moved **HB 660** be concurred in. Motion carried unanimously.

**HB 709** - Senator Smith moved **HB 709** be concurred in. Motion carried unanimously.

**HB 162** - Senator Williams moved **HB 162** be concurred in. Motion carried unanimously.

**HB 653** - Senator Cocchiarella moved **HB 653** be concurred in. Motion carried unanimously.

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**HJR 5** - Senator Pease moved **HJR 5** be concurred in. Motion carried unanimously.

**HJR 21** - Senator Curtiss moved **HJR 21** be concurred in. Motion **failed** as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Curtiss, Essmann, Gebhardt, Grimes, Keenan, Laible, Laslovich, Lewis, McGee, O'Neil, Perry, Roush, Shockley, Stapleton, Steinbeisser, Story, Tash, Tropila.  
Total 23

Nays: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Esp, Gillan, Hansen, Harrington, Hawks, Kitzenberg, Larson, Lind, Mangan, Moss, Pease, Schmidt, Smith, Squires, Toole, Weinberg, Wheat, Williams, Mr. President.  
Total 25

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HJR 21** - Senator Lind moved **HJR 21** be **indefinitely postponed**. Motion carried as follows:

Yeas: Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Gillan, Hansen, Harrington, Hawks, Kitzenberg, Larson, Laslovich, Lind, Mangan, Moss, Pease, Schmidt, Smith, Squires, Story, Toole, Weinberg, Wheat, Williams, Mr. President.  
Total 25

Nays: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Curtiss, Esp, Essmann, Gebhardt, Grimes, Keenan, Laible, Lewis, McGee, O'Neil, Perry, Roush, Shockley, Stapleton, Steinbeisser, Tash, Tropila.  
Total 23

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**SB 275** - Senator Schmidt moved **SB 275** do pass. Motion carried as follows:

Yeas: Bales, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, Moss, Pease, Perry, Roush, Schmidt, Smith, Squires, Stapleton, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 42

Nays: Balyeat, Barkus, McGee, O'Neil, Shockley, Steinbeisser.  
Total 6

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 17** - Senator Toole moved **HB 17** be concurred in. Motion carried unanimously.

**HB 44** - Senator Schmidt moved **HB 44** be concurred in. Motion carried unanimously.

**HB 46** - Senator Wheat moved **HB 46** be concurred in. Motion carried unanimously.

**HB 100** - Senator Laslovich moved **HB 100** be concurred in. Motion carried as follows:

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Yeas: Bales, Balyeat, Barkus, Cobb, Cocchiarella, Cromley, Curtiss, Esp, Essmann, Gebhardt, Grimes, Harrington, Keenan, Kitzenberg, Laible, Laslovich, McGee, Moss, O'Neil, Perry, Roush, Shockley, Steinbeisser, Story, Tash, Tropila, Weinberg, Mr. President.  
Total 28

Nays: Black, Brueggeman, Cooney, Ellingson, Elliott, Gillan, Hansen, Hawks, Larson, Lewis, Lind, Mangan, Pease, Schmidt, Smith, Squires, Toole, Wheat, Williams.  
Total 19

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan, Stapleton.  
Total 3

**HB 113** - Senator Shockley moved **HB 113** be concurred in. Motion carried unanimously.

Senator Ellingson moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Tester in the chair.

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

**HB 201** - Senator Laslovich moved **HB 201** be concurred in. Motion carried as follows:

Yeas: Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Essmann, Gebhardt, Grimes, Hansen, Harrington, Hawks, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 40

Nays: Bales, Curtiss, Esp, Keenan, McGee, Stapleton, Steinbeisser.  
Total 7

Absent or not voting: None.  
Total 0

Excused: Gallus, Gillan, Ryan.  
Total 3

**HB 225** - Senator Balyeat moved **HB 225** be concurred in. Motion carried unanimously.

**HB 296** - Senator Larson moved **HB 296** be concurred in. Motion carried as follows:

Yeas: Balyeat, Black, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Essmann, Gebhardt, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lind, Mangan, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Squires, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 34

Nays: Bales, Barkus, Brueggeman, Cobb, Curtiss, Esp, Lewis, McGee, Smith, Stapleton, Steinbeisser, Story, Tash.  
Total 13

Absent or not voting: None.  
Total 0

Excused: Gallus, Gillan, Ryan.  
Total 3

Senator Ellingson moved the committee rise and report. Motion carried. Committee arose. Senate resumed.

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President Tester 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:

**HB 32** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 48

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 53** concurred in as follows:

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

Nays: Keenan.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 119** concurred in as follows:

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

Nays: Story.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

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**HB 174** concurred in as follows:

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

Nays: Cobb, Keenan.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 275** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 48

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 283** concurred in as follows:

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

Nays: Esp, Keenan.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 301, as amended by the Senate**, concurred in as follows:

Yeas: Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Kitzenberg, Larson, Laslovich, Lewis, Lind, Mangan, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Squires, Stapleton, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 37

Nays: Bales, Balyeat, Barkus, Curtiss, Esp, Keenan, Laible, McGee, Smith, Steinbeisser, Story.



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Total 11

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 306** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 48

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 321** concurred in as follows:

Yeas: Balyeat, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 43

Nays: Bales, Barkus, Keenan, Steinbeisser, Story.  
Total 5

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 367, as amended by the Senate**, concurred in as follows:

Yeas: Balyeat, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 42

Nays: Bales, Barkus, Black, Esp, Keenan, Stapleton.  
Total 6

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

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**HB 371** concurred in as follows:

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

Nays: Curtiss, Stapleton.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 427** concurred in as follows:

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

Nays: Bales, Balyeat, Barkus, Black, Curtiss, Esp, Essmann, Gebhardt, Grimes, Keenan, Laible, McGee, O'Neil, Perry, Stapleton, Steinbeisser, Story, Tash.  
Total 18

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 452** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 48

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HB 567** concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
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Nays: Keenan, McGee.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**HJR 16** concurred in as follows:

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

Nays: Esp, Keenan, Shockley.  
Total 3

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**SB 57, as amended by the House**, passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 48

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**SB 64, as amended by the House**, passed as follows:

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

Nays: Esp.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

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**SB 243** passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Mangan, McGee, Moss, O'Neil, Pease, Perry, Roush, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.  
Total 48

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gallus, Ryan.  
Total 2

**SPECIAL ORDERS OF THE DAY**

Senator Perry won the Ugly Tie Contest for the week.

Senator Schmidt thanked the pages for the week.

President Tester announced that Congressman Denny Rehberg would address a joint session on the 62nd Legislative Day.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Ellingson moved that the Senate adjourn until 12:30 p.m., Monday, March 21, 2005. Motion carried.

Senate adjourned at 11:12 a.m.

**BILL LOMBARDI**  
Secretary of Senate

**JON TESTER**  
President of the Senate