

**SENATE JOURNAL
SIXTH LEGISLATIVE DAY**

Helena, Montana
January 9, 1999

Senate Chambers
State Capitol

Senate convened at 8:00 a.m. President Crippen presiding. Invocation by Reverend Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Beck, Ellis, Lynch and Tester, excused. Quorum present.

Mr. President: We, your committee on Bills and Journal, having examined the daily journal for the fourth legislative day, find the same to be correct.

Miller, Chairman

Senators Beck and Lynch present at this time.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 1/9/1999
Correctly printed: SB 14, SB 15, SB 28, SB 44, SB 52, SB 53, SB 162, SB 163, SB 164, SB 165, SB 166, SB 167,
SB 168, SB 169, SB 170.
Correctly engrossed: SB 10.

BUSINESS AND INDUSTRY (Hertel, Chairman): 1/8/1999
SB 23, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "exceed"
Strike: "20"
Insert: "25"

And, as amended, do pass. Report adopted.

SB 26, do pass. Report adopted.
SB 51, do pass. Report adopted.

FINANCE AND CLAIMS (Swysgood, Chairman): 1/8/1999
HB 1, be amended as follows:

1. Page 1, line 13.
Strike: "\$1,709,020"
Insert: "\$1,715,020"

2. Page 1, line 22.
Insert: "6. Senate (25) 7,239.50
The amount appropriated must be used solely for the purpose of paying the judgment for costs and fees in the caucus litigation.

7. House of Representatives (26) 7,239.50
The amount appropriated must be used solely for the purpose of paying the judgment for costs and fees in

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the caucus litigation."

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

SB 17, do pass. Report adopted.

SB 50, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Beck, Chairman):

1/9/1999

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 5:00 p.m., Saturday, January 9, 1999:

<u>TITLE</u>	<u>NAME</u>
Pages:	Lanie White
	Mollie Lane
	Vincent Beausoleil
	Dan St. Germaine
	Andrew Melcher
	Annie Diehl

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, January 11, 1999:

<u>TITLE</u>	<u>NAME</u>
Pages:	Emilyn Anderson, Great Falls, MT
	Treavor Zion, Choteau, MT
	Seth Davidson, Big Sandy, MT
	Pat Mumme, Sheridan, MT
	Ryli Clark, Helena, MT
	Matthew Trexler, Choteau, MT

Report Adopted.

RULES (Harp, Chairman):

1/8/1999

SJR 1, introduced bill, be amended as follows:

1. Page 4, line 11.

Strike: ", with an additional title page"

2. Page 9, line 13.

Following: ". "

Insert: "The phrase may not be added to an introduced bill and may not be placed on a bill whose subject matter was requested by an agency or statutory or interim committee prior to the convening of the session."

3. Page 9, line 18.

Following: line 17

Insert: "Preintroduction must occur no later than 5 p.m. on the fifth working day prior to the convening of a legislative session. Preintroduction is accomplished when the Legislative Services Division receives a

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signed preintroduction form."

4. Page 14, line 25.

Strike: "succeeding"

Following: "day"

Insert: "after receipt"

5. Page 14, lines 27 and 28.

Following: "it" on line 27

Strike: "may" on page 14, line 27 through "reprinting" on page 14, line 28

Insert: "is not required to be reprinted"

And, as amended, be adopted. Report adopted.

SR 1, introduced bill, be amended as follows:

1/8/1999

1. Page 9, lines 1 through line 6.

Strike: S30-110 in its entirety

Renumber: subsequent sections

2. Page 11, line 28 through page 12, line 12.

Strike: S40-70 in its entirety

And, as amended, be adopted. Report adopted.

STATE ADMINISTRATION (Cole, Chairman):

1/8/1999

SB 5, do pass. Report adopted.

SB 70, do pass. Report adopted.

MOTIONS

SB 14 - Senator Harp moved consideration of SB 14, on second reading this legislative day, be postponed until the 7th legislative day, January 11, 1999. Motion carried.

HB 1 - Senator Harp moved that the rules be suspended to allow HB 1 to be placed on second reading this legislative day. Motion carried as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: Ellis, Tester.
Total 2

SB 135 - Senator Sprague moved that Story be added as sponsor to SB 135. Motion carried.

SB 143 - Senator Sprague moved that Story be added as sponsor to SB 143. Motion carried.

SB 157 - Senator Sprague moved that the phrase, "By request of the Interim Property Tax Committee" be added to SB 157. Motion carried.

HB 1 - Senator Harp moved that HB 1 be placed below SB 15 on the second reading board this legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 171, introduced by Mesaros, Tash, Rose, Stovall, J. Holden, Mohl, Ellis, Devlin, L. Taylor, Hanson, Hertel, Crismore, Cole, McNutt, Grosfield and Beck, referred to Agriculture, Livestock and Irrigation.

SB 172, introduced by Waterman, Simon, Swanson, Mood, DePratu, M. Taylor, Ohs and Grosfield, referred to Taxation.

SB 173, introduced by Bohlinger, referred to State Administration.

SB 174, introduced by Bohlinger, referred to Natural Resources.

SB 175, introduced by Eck, Harper, Ewer, Bartlett, Swanson, Beck and Hibbard, referred to Taxation.

SB 176, introduced by Bohlinger, referred to Judiciary.

SB 177, introduced by Stang and P. Clark, referred to Agriculture, Livestock and Irrigation.

SB 178, introduced by Nelson, referred to Agriculture, Livestock and Irrigation.

SB 179, introduced by R. Holden (by request of Senate Judiciary Standing Committee), referred to Judiciary.

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

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

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

SB 10 - Senator Mohl moved SB 10 do pass. Motion carried unanimously.

SB 15 - Senator Cole moved SB 15 do pass. Motion carried unanimously.

HB 1 - Senator Swysgood moved HB 1, as amended, be concurred in. Motion carried with Senators Miller and Wells voting nay.

Senator Harp moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Jergeson moved the Committee of the Whole report be adopted. Report adopted.

MOTIONS

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HB 1 - Senator Harp moved that the rules be suspended to allow HB 1 to be placed on the third reading board this legislative day. Motion carried as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Ellis, Tester.
Total 2

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 28 passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Ellis, Tester.
Total 2

SB 52 passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 48

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: Ellis, Tester.

Total 2

SB 53 passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Ellis, Tester.

Total 2

HB 1, as amended by the Senate, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Thomas, Toews, Waterman, Wilson, Mr. President.

Total 46

Nays: Miller, Wells.

Total 2

Absent or not voting: None.

Total 0

Excused: Ellis, Tester.

Total 2

Senator Grosfield introduced the Senate pages and he and Senator Beck thanked them for a job well done this first legislative week.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

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Majority Leader Harp moved that the Senate adjourn until 1:00 p.m., Monday, January 11, 1999. Motion carried.

Senate adjourned at 8:51 a.m.

ROSANA SKELTON
Secretary of Senate

BRUCE CRIPPEN
President of the Senate