

**SENATE JOURNAL  
SEVENTH LEGISLATIVE DAY**

Helena, Montana  
January 11, 1999

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Pro Tempore Beck presiding. Invocation by Reverend Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

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

Miller, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS AND JOURNAL** (Miller, Chairman): 1/11/1999  
Correctly printed: SB 5, SB 10, SB 15, SB 17, SB 50, SB 51, SB 70, SB 171, SB 172, SB 173, SB 174, SB 175, SB 176, SB 177, SB 178, SB 179.  
Correctly engrossed: SB 23, SB 26, SJR 1, SR 1.

**NATURAL RESOURCES** (Crismore, Chairman): 1/11/1999  
**SB 9**, do pass. Report adopted.  
**SB 29**, do pass. Report adopted.

**STATE ADMINISTRATION** (Cole, Chairman): 1/11/1999  
**SB 120**, do pass. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

House bills passed and transmitted to the Senate for concurrence: 1/09/1999

**HB 30**, introduced by Peck  
**HB 57**, introduced by Mercer

**MOTIONS**

**SB 157** - Senator Crippen moved that the Senate reconsider its action in adopting Senator Sprague's motion on the sixth legislative day to add the phrase, "By request of the Interim Property Tax Committee", to SB 157. Motion carried.

**SB 23** - Senator Thomas moved SB 23 be taken from second reading this legislative day, and rereferred to the Committee on Business and Industry for purpose of amendment. Motion carried.

**SB 39** - Senator Taylor moved that Crismore, DePratu, F. Thomas, McNutt, Ekegren and Keating be added as sponsors to SB 39. Motion carried.

**SB 43** - Senator Taylor moved that Crismore, DePratu, F. Thomas, McNutt, Ekegren and Keating be added as sponsors to SB 43. Motion carried.

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 180**, introduced by Hertel, referred to Local Government.

**SB 181**, introduced by Nelson and E. Bergsagel, referred to Agriculture, Livestock and Irrigation.

**SB 182**, introduced by Nelson and E. Bergsagel, referred to Agriculture, Livestock and Irrigation.

**SB 183**, introduced by Nelson and E. Bergsagel, referred to Agriculture, Livestock and Irrigation.

**SB 184**, introduced by Grosfield, Story, Harp, Glaser, Waterman, Orr, Noennig, F. Thomas, Halligan, Doherty, Stang, Bartlett and McCulloch, referred to Taxation.

**SB 185**, introduced by Christiaens, Mangan, Hurdle, Golie, Hargrove, Tuss, Grimes, Bohlinger, Schmidt, Rose, Eck and Juneau, referred to Judiciary.

**SB 186**, introduced by Wells, Hargrove and M. Taylor, referred to Judiciary.

**SB 200**, introduced by M. Taylor, Mood, Ohs, DePratu, Grosfield, Tester, Simon, Tuss and Swanson (by request of Joint Select Committee on Jobs and Income), referred to the Select Committee on Jobs and Income.

**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 Hertel in the chair.

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

**SB 5** - Senator Tester moved SB 5 do pass. Motion passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, 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, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 14** - Senator Ellis moved SB 14 do pass. Motion carried unanimously.

**SB 17** - Senator Franklin moved SB 17 do pass. Motion carried unanimously

**SB 26** - Senator Hargrove moved SB 26 do pass. Motion carried unanimously.

**SB 32** - Senator Grimes moved SB 32 do pass. Motion carried as follows:

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Yeas: Bartlett, Berry, Bishop, Bohlinger, Cole, Crismore, DePratu, Devlin, Doherty, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Hertel, Holden, Jabs, Jergeson, Keating, McNutt, Mesaros, Miller, Sprague, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 34

Nays: Beck, Christiaens, Cocchiarella, Eck, Harp, Keenan, Lynch, Mahlum, McCarthy, Mohl, Nelson, Roush, Shea, Stang, Swysgood, Taylor.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 44** - Senator Ellis moved SB 44 do pass. Motion carried as follows:

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

Total 43

Nays: Cole, Grosfield, Mahlum, Miller, Mohl, Toews.

Total 6

Absent or not voting: Wilson.

Total 1

Excused: None.

Total 0

**SB 50** - Senator Swysgood moved SB 50 do pass. Motion carried unanimously.

**SB 51** - Senator Keating moved SB 51 do pass. Motion carried unanimously.

**SB 70** - Senator Stang moved SB 70 do pass. Motion carried unanimously.

**SJR 1** - Senator Harp moved SJR 1 be adopted. Motion carried unanimously.

**SR 1** - Senator Harp moved SR 1 be adopted. Motion carried as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, 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, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 50

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Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

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

**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 10** passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, 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, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 15** passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, 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, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

**MOTIONS**

**SB 172** - Senator DePratu moved that SB 172 be taken from the Committee on Taxation and rereferred to the Select Committee on Jobs and Income. Motion carried.

**ANNOUNCEMENTS**

Senator Thomas introduced the Senate pages for the week of January 11 - 16, 1999.

Committee meetings were announced by committee chairmen.

Majority Leader Harp moved that the Senate adjourn until 1:00 p.m., Tuesday, January 12, 1999. Motion carried.

Senate adjourned at 2:18 p.m.

ROSANA SKELTON  
Secretary of Senate

BRUCE CRIPPEN  
President of the Senate