

**SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 8, 1999

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Crippen presiding. Invocation by Reverend Keith Johnson.

A Flag ceremony and presentation of the colors was performed by the Treasure Trails Girl Scouts troops 19, 108, 158 and 361 from Billings, accompanied by Angie Abbey. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senators Berry and Miller, excused. Quorum present.

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

Miller, Chairman

Senator Thomas introduced the Senate pages for the week of February 8 - 13, 1999, and welcomed them to the Senate.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 2/8/1999
Correctly printed: SB 82, SB 118, SB 269, SB 295, SB 317.
Correctly engrossed: SB 117, SB 216, SB 319.
Correctly enrolled: SB 17, SB 50.
Examined by the sponsor and found to be correct: SB 17, SB 50.
Signed by the President at 10:00 a.m., February 8, 1999: SB 93.
Signed by the President at 1:30 p.m., February 8, 1999: SB 17, SB 50.

FINANCE AND CLAIMS (Swysgood, Chairman): 2/6/1999
SB 170, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 9.

Following: "ACT" on line 5

Strike: the remainder of line 5 through "COMMISSION;" on line 9

Insert: "AUTHORIZING THE DEPARTMENT OF COMMERCE TO MAKE EMERGENCY TREASURE STATE ENDOWMENT GRANTS; REQUIRING LOCAL GOVERNMENT ENTITIES TO REIMBURSE FUNDS ADVANCED FOR PROJECTS NOT COMPLETED;"

2. Page 1, line 20.

Following: "shall"

Strike: "annually"

Strike: "of"

Insert: "containing the"

3. Page 1, line 21.

Following: "form"

Insert: "and amount"

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4. Page 1, lines 21 and 22.

Following: "~~on~~"

Strike: "MONTANA jobs and income COMMISSION"

Insert: "governor"

5. Page 1, line 24.

Following: "~~legislature.~~"

Insert: "The governor shall review the projects recommended by the department and shall submit a list of recommended projects and the recommended financial assistance to the legislature."

6. Page 2, line 16.

Strike: "commission on jobs and income"

Insert: "legislature"

7. Page 2, line 20 and line 21.

Strike: section 2 in its entirety

Insert: "NEW SECTION. Section 2. Emergency funding for projects between legislative sessions. In addition to implementing projects approved by the legislature, the department of commerce may request up to 10% of the grant funds available from the treasure state endowment fund in any biennium to be appropriated for emergency grants for infrastructure projects required to remedy conditions that, if allowed to continue until legislative approval could be obtained, would endanger the public health or safety and expose the applicant to substantial financial risk. The department may not make emergency grants to remedy situations that have resulted from the gross negligence of the local government applicant. The department shall inform the legislative finance committee of any emergency grant."

Insert: "NEW SECTION. Section 3. Infrastructure levy --reimbursement to state. (1) Approved treasure state endowment program projects may require the local government entity to submit to the qualified electors at the next tax election a fee increase necessary to complete the project. In order to determine the amount of fee increase required, design and engineering work for the project may have to be completed before this election may be held.

(2) The department of commerce may advance all or a portion of the treasure state endowment program grant to the local entity, and the entity may use this advance as the first funding source for a project that has multiple funding sources when these other resources are unavailable to complete the design and engineering work for the project.

(3) If the fee increase required to complete the project is not approved by the electorate after two elections on the issue following the entity's receipt of funds under subsection (2) or if the project is not completed for any other reason, the state shall withhold funds that would otherwise be payable to the entity by the state or the entity may reimburse the state from other funds until an amount equal to the amount of the treasure state endowment program funds that were advanced has been withheld or paid to the state. The state shall deposit the withheld or reimbursed funds in the treasure state endowment fund established in 17-5-703."

Insert: "NEW SECTION. Section 4. Contingent voidness. If Constitutional Initiative No. 75, enacting Article VIII, section 17, of the Montana constitution, is declared invalid, then [section 3] is void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

JUDICIARY (Grosfield, Chairman):

2/5/1999

SB 273, do pass. Report adopted.

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NATURAL RESOURCES (Crismore, Chairman): 2/8/1999
SB 249, do pass. Report adopted.
HB 29, be concurred in. Report adopted.
HB 35, be concurred in. Report adopted.

TAXATION (Devlin, Chairman): 2/8/1999
SB 260, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "BY ONE-HALF"

Following: "ONE-HALF;"

Insert: "PROVIDING THAT THE TAX RATE DECREASES AS THE STATEWIDE VALUE OF LIGHT AND FLEET VEHICLES INCREASES;"

2. Title, line 6.

Following: "UNCHANGED;"

Insert: "CHANGING THE DISTRIBUTION FORMULA FOR MOTOR VEHICLE TAX COLLECTIONS; INCREASING THE PERMISSIBLE TAX RATE ALLOWED UNDER THE LOCAL OPTION VEHICLE TAX; REQUIRING A VOTE FOR IMPOSITION OF THE LOCAL OPTION VEHICLE TAX;"

3. Title, line 6.

Following: "SECTIONS"

Insert: "20-9-141,"

4. Page 1, line 10.

Following: line 9

Insert: "Section 1. Section 20-9-141, MCA, is amended to read:

"**20-9-141. Computation of general fund net levy requirement by county superintendent.** (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the funding required for the district's final general fund budget less the sum of direct state aid and the special education allowable cost payment for the district by totaling:

(i) the district's nonisolated school BASE budget requirement to be met by a district levy as provided in 20-9-303; and

(ii) any general fund budget amount adopted by the trustees of the district under the provisions of 20-9-308 and 20-9-353, including any additional funding for a general fund budget that exceeds the maximum general fund budget.

(b) Determine the money available for the reduction of the property tax on the district for the general fund by totaling:

(i) the general fund balance reappropriated, as established under the provisions of 20-9-104;

(ii) amounts received in the last fiscal year for which revenue reporting was required for each of the following:

(A) tuition payments for out-of-district pupils under the provisions of 20-5-321 through 20-5-323, except the amount of tuition received for a pupil who is a child with disabilities in excess of the amount received for a pupil without disabilities, as calculated under 20-5-323(2);

(B) revenue from taxes and fees imposed under 23-2-517, 23-2-803, 61-3-504, 61-3-521, 61-3-527, 61-3-529, 61-3-537, and 67-3-204;

(C) oil and natural gas production taxes;

(D) interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4);

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(E) revenue from corporation license taxes collected from financial institutions under the provisions of 15-31-702; and

(F) any other revenue received during the school fiscal year that may be used to finance the general fund, excluding any guaranteed tax base aid;

(G) reimbursements for unrealized motor vehicle tax revenue, as provided in 61-3-509(1); and

(iii) pursuant to subsection (4), anticipated revenue from coal gross proceeds under 15-23-703.

(c) Notwithstanding the provisions of subsection (2), subtract the money available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from any general fund budget amount adopted by the trustees of the district, up to the BASE budget amount, to determine the general fund BASE budget levy requirement.

(d) Subtract any amount remaining after the determination in subsection (1)(c) from any additional funding requirement to be met by an over-BASE budget amount, a district levy as provided in 20-9-303, and any additional financing as provided in 20-9-353 to determine any additional general fund levy requirements.

(2) The county superintendent shall calculate the number of mills to be levied on the taxable property in the district to finance the general fund levy requirement for any amount that does not exceed the BASE budget amount for the district by dividing the amount determined in subsection (1)(c) by the sum of:

(a) the amount of guaranteed tax base aid that the district will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the taxable valuation of the district divided by 1,000.

(3) The net general fund levy requirement determined in subsections (1)(c) and (1)(d) must be reported to the county commissioners on the fourth Monday of August by the county superintendent as the general fund net levy requirement for the district, and a levy must be set by the county commissioners in accordance with 20-9-142.

(4) For each school district, the department of revenue shall calculate and report to the county superintendent the amount of revenue anticipated for the ensuing fiscal year from revenue from coal gross proceeds under 15-23-703. "

Renumber: subsequent sections

5. Page 1, line 14.

Strike: "1%"

Insert: "the percentage determined under subsection (3)"

6. Page 1, line 15.

Strike: "0.5%"

Insert: "one-half of the percentage determined under subsection (3)"

7. Page 1, line 17.

Following: line 16

Insert: "(3) For the tax year beginning after December 31, 2000, the taxable percentage for the computation of taxes under this section is determined by multiplying the statewide total taxable value of motor vehicles subject to taxation under this section for the first half of the prior calendar year by the prior year tax rate and then dividing the product by the statewide total taxable value of motor vehicles subject to taxation under this section for the first half of the current calendar year. For the tax year beginning after December 31, 1999, the rate is [1.4%]."

8. Page 1, line 25.

Following: "fund"

Insert: ". Except for taxes collected under 61-3-504, the county treasurer shall distribute the money in the fund"

9. Page 1, line 27.

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Following: "distributed."

Insert: "For money in the fund collected under 61-3-504, the county treasurer shall disregard the statewide mills levied for the university system and the mills levied for state equalization aid under 20-9-360 in determining distribution proportions of the money and may not distribute money from 61-3-504 to the state for either levy. If the distribution of money collected under 61-3-504 to a school district general fund results in a lower revenue than the district received in fiscal year 1999 and the district has, for all years after fiscal year 1999, received less revenue than fiscal year 1999, then the district general fund is entitled to state reimbursement for the amount of the difference between the fiscal year 1999 revenue and the current year distributions of collections under 61-3-504."

10. Page 1, line 28.

Strike: "14%"

Insert: "[10%]"

11. Page 1, line 29.

Strike: "1%"

Following: "61-3-504"

Insert: "(1)"

12. Page 2, line 7.

Strike: "0.25%"

Insert: "0.7%"

13. Page 2, lines 18 and 19.

Strike: "by" on line 18 through "The" on line 19

Insert: "if the imposition, revision, or revocation of the tax is approved by the electorate of the county. The imposition, revision, or revocation of the tax is effective on January 1 following its approval by the electorate. The county governing body by"

14. Page 2, lines 28 and 29.

Strike: "by" on line 28 through "resolution" on line 29

Insert: "if the imposition, revision, or revocation of the tax is approved by the electorate of the county. The imposition, revision, or revocation of the tax is effective on January 1 following its approval by the electorate"

15. Page 2, line 30.

Following: line 29

Insert: "NEW SECTION. Section 5. Coordination instruction. If Constitutional Initiative No. 75, enacting Article VIII, section 17, of the Montana constitution, is declared invalid prior to January 1, 2000, then the bracketed percentage in [this act] in:

(1) [section 2], amending 61-3-504(3), is void and is replaced by "1.3%"; and

(2) [section 3], amending 61-3-509(2), is void and is replaced by "10.75%"."

And, as amended, do pass. Report adopted.

MOTIONS

SB 277 - Senator Bohlinger moved that SB 277 be taken from the committee on Local Government and referred to the committee on Finance and Claims. Motion carried.

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SB 396 - Senator Hertel moved that SB 396 be taken from the committee on Business and Industry and rereferred to the committee on Labor and Employment Relations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

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

SB 405, introduced by V. Cocchiarella, S. Bartlett, G. Beck, A. Bishop, J. Harp, D. Shea, C. Younkin, referred to Labor and Employment Relations.

SB 406, introduced by S. Doherty, E. Bergsagel, A. Bishop, J. Bohlinger, J. Ellingson, D. Ewer, L. Grosfield, H. Harper, J. Lynch, W. McNutt, J. Quilici, F. Thomas, B. Wilson, referred to Business and Industry.

SB 407, introduced by V. Cocchiarella, W. Crismore, L. Grosfield, K. Mesaros, referred to Taxation.

SB 408, introduced by J. Ellingson, D. Ewer, H. Harper, B. Wilson, referred to Business and Industry.

SB 409, introduced by J. Ellingson, J. Bohlinger, S. Stang, referred to Business and Industry.

SB 410, introduced by B. Keenan, referred to Business and Industry.

SB 411, introduced by W. Crismore, C. Ahner, T. Beck, D. Berry, R. Bitney, M. Cole, B. DePratu, G. Devlin, B. Glaser, D. Grimes, L. Grinde, L. Grosfield, D. Hargrove, J. Harp, T. Keating, B. Lawson, D. Mood, K. Ohs, S. Orr, P. Sliter, C. Swysgood, F. Thomas, J. Wells, referred to Natural Resources.

SB 412, introduced by S. Stang, C. Ahner, T. Beck, R. Bitney, W. Crismore, B. DePratu, B. Glaser, D. Grimes, L. Grosfield, D. Hargrove, B. Lawson, D. Mood, K. Ohs, P. Sliter, referred to Natural Resources.

SB 413, introduced by D. Grimes, S. Anderson, M. Cole, W. Crismore, L. Grosfield, T. Keating, D. Mood, K. Ohs, C. Swysgood, B. Tash, referred to Natural Resources.

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

SJR 8, introduced by G. Jergeson, S. Anderson, S. Bartlett, T. Beck, D. Berry, A. Bishop, J. Bohlinger, R. Buzzas, C. Christiaens, P. Clark, R. Clark, V. Cocchiarella, M. Cole, B. Crippen, S. Doherty, D. Eck, B. Eggers, P. Ekegren, J. Ellingson, D. Ewer, T. Facey, E. Franklin, S. Gallus, K. Galvin-Halcro, K. Gillan, B. Glaser, G. Golie, G. Gutsche, T. Hagener, D. Hargrove, J. Harp, H. Harper, D. Harrington, D. Hedges, J. Hertel, J. Hurdle, R. Jabs, C. Juneau, T. Keating, S. Kitzenberg, B. Krenzler, R. Lenhart, J. Mangan, L. McCulloch, J. McKenney, K. Mesaros, K. Miller, A. Mohl, L. Nelson, M. Noennig, R. Peck, S. Rose, G. Roush, T. Schmidt, F. Smith, R. Somerville, M. Sprague, E. Swanson, C. Swysgood, J. Tester, D. Toews, J. Tropila, C. Tuss, M. Waterman, C. Williams, B. Wilson, D. Wyatt, referred to Highways and Transportation.

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

HB 89, introduced by M. Guggenheim (by request of The Department of Military Affairs), referred to State Administration.

HB 103, introduced by R. Peck (by request of The Office of Public Instruction), referred to Education and Cultural Resources.

HB 231, introduced by J. Witt, referred to Highways and Transportation.

HB 296, introduced by J. Shockley, referred to Judiciary.

HB 346, introduced by B. Raney, referred to Natural Resources.

HB 361, introduced by J. Shockley, referred to Judiciary.

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

HJR 2, introduced by B. Story (by request of the Revenue Oversight Committee), referred to Taxation.

SECOND READING OF BILLS

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(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 Waterman in the chair.

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

SJR 5 - Senator J. Tester moved SJR 5 be adopted. Motion carried unanimously.

SJR 7 - Senator J. Bohlinger moved SJR 7 be adopted. Motion carried unanimously.

HB 55 - Senator J. Tester moved HB 55 be concurred in. Motion carried unanimously.

SB 103 - Senator E. Franklin moved SB 103 do pass. Motion carried unanimously.

SB 107 - Senator D. Mahlum moved SB 107 do pass. Motion carried as follows:

Yeas: Bartlett, Beck, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, Doherty, Eck, Ellingson, Ellis, Franklin, Halligan, Hargrove, Hertel, Holden, Jabs, Jergeson, Keating, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Nelson, Roush, Shea, Sprague, Stang, Tester, Thomas, Waterman, Wilson, Mr. President.

Total 34

Nays: Bishop, DePratu, Devlin, Ekegren, Glaser, Grimes, Grosfield, Harp, Keenan, Mohl, Swysgood, Taylor, Toews, Wells.

Total 14

Absent or not voting: None.

Total 0

Excused: Berry, Miller.

Total 2

SB 186 - Senator J. Wells moved SB 186 do pass. Motion carried as follows:

Yeas: Bartlett, Beck, Cole, Crismore, DePratu, Devlin, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McNutt, Nelson, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Wells.

Total 33

Nays: Bishop, Bohlinger, Christiaens, Cocchiarella, Doherty, Eck, Ellingson, McCarthy, Mesaros, Mohl, Roush, Shea, Waterman, Wilson, Mr. President.

Total 15

Absent or not voting: None.

Total 0

Excused: Berry, Miller.

Total 2

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SB 258 - Senator D. Grimes moved SB 258 do pass. Motion carried unanimously.

SB 289 - Senator S. Doherty moved SB 289 do pass. Motion carried unanimously.

SB 304 - Senator D. Hargrove moved SB 304 do pass. Motion carried unanimously.

SB 326 - Senator J. Tester moved SB 326 do pass. Motion carried unanimously.

SB 319 - Senator R. Holden moved SB 319 do pass. Motion carried as follows:

Yeas: Beck, Bishop, Bohlinger, Cole, Crismore, DePratu, Devlin, Ekegren, Ellis, Glaser, Grimes, Hargrove, Harp, Hertel, Holden, Jabs, Keating, Keenan, Lynch, Mahlum, McNutt, Mohl, Sprague, Swysgood, Taylor, Thomas, Toews, Wells, Mr. President.

Total 29

Nays: Bartlett, Christiaens, Cocchiarella, Doherty, Eck, Ellingson, Franklin, Grosfield, Halligan, Jergeson, McCarthy, Mesaros, Nelson, Roush, Shea, Stang, Tester, Waterman, Wilson.

Total 19

Absent or not voting: None.

Total 0

Excused: Berry, Miller.

Total 2

Senator Harp moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Waterman 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 82 passed as follows:

Yeas: Bartlett, Beck, 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, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Berry, Miller.

Total 2

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SB 117 passed as follows:

Yeas: Bartlett, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Roush, Shea, Sprague, Stang, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 45

Nays: Beck, Devlin, Swysgood.
Total 3

Absent or not voting: None.
Total 0

Excused: Berry, Miller.
Total 2

SB 118 passed as follows:

Yeas: Bartlett, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Roush, Shea, Sprague, Stang, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 45

Nays: Beck, Devlin, Swysgood.
Total 3

Absent or not voting: None.
Total 0

Excused: Berry, Miller.
Total 2

SB 216 passed as follows:

Yeas: Bartlett, Beck, 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, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Toews, Waterman, Wells, Wilson, Mr. President.
Total 47

Nays: Thomas.
Total 1

Absent or not voting: None.
Total 0

Excused: Berry, Miller.

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Total 2

SB 269 passed as follows:

Yeas: Bartlett, Beck, 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, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Berry, Miller.

Total 2

SB 295 passed as follows:

Yeas: Bartlett, Beck, 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, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Berry, Miller.

Total 2

SB 317 passed as follows:

Yeas: Bartlett, Beck, 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, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Toews, Waterman, Wells, Wilson, Mr. President.

Total 47

Nays: Thomas.

Total 1

Absent or not voting: None.

Total 0

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Excused: Berry, Miller.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Harp moved that the Senate adjourn until 1:00 p.m., Tuesday, February 9, 1999. Motion carried.

Senate adjourned at 3:00 p.m.

ROSANA SKELTON
Secretary of the Senate

BRUCE CRIPPEN
President of the Senate