

**SENATE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
February 17, 1999

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Crippen presiding. Invocation by Reverend Brenda Satrum. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senators Bohlinger, Lynch, McCarthy and Wilson, excused. Quorum present.

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

Miller, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS AND JOURNAL** (Miller, Chairman): 2/17/1999  
Correctly printed: SB 123, SB 125, SB 126, SB 235, SB 293, SB 359, SB 378, SB 383, SB 395, SB 397, SB 400, SB 412, SB 434, SB 438, SB 439, SB 502, SB 503, SB 504, SB 505, SB 506, SB 507, SB 508, HB 3, HB 56, HB 89, HB 118, HB 119, HB 198, HJR 9.  
Correctly engrossed: SB 153, SB 183, SB 251, SB 263, SB 306, SB 342, SB 351, SB 369, SB 372, SB 377, SB 379, SB 386, SB 394, SB 410, SB 414, SB 428, HB 36, HB 141.  
Signed by the Secretary of Senate at 4:15 p.m., February 16, 1999: SB 9, SR 3.  
Delivered to the Secretary of State at 9:50 a.m., February 17, 1999: SR 3.

**HIGHWAYS AND TRANSPORTATION** (Mohl, Chairman): 2/17/1999  
**SB 374**, do pass. Report adopted.  
**SB 429**, introduced bill, be amended as follows:

1. Title, page 1, lines 4 and 5.  
**Strike:** "ANY LEASE OR RENTAL"  
**Insert:** "CERTAIN LEASES OR RENTALS"
2. Page 1, line 13.  
**Following:** "chapter"  
**Insert:** "if the lease or rental is for purposes of aeronautics, as defined in 67-1-101(1)"

And, as amended, do pass. Report adopted.

**SJR 8**, introduced joint resolution, be amended as follows:

1. Page 1, line 25.  
**Following:** "corridors"  
**Insert:** ", in addition to those routes already designated as corridors,"
2. Page 1, line 30 through page 2, line 2.  
**Strike:** "the" on page 1, line 30 through "Billings" on page 2, line 2  
**Insert:** "U.S. Highway 93 from the Port of Roosville on the Canadian border south to Lost Trail Pass on the Idaho

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border"

And, as amended, be adopted. Report adopted.

**JUDICIARY** (Grosfield, Chairman):  
**SB 320**, introduced bill, be amended as follows:

2/16/1999

1. Page 2, line 18 through line 20.

**Strike:** subsection (7) in its entirety

**Renumber:** subsequent subsections

2. Page 2, line 27.

**Following:** the second "for"

**Insert:** "the person's"

3. Page 2, line 28.

**Following:** "injuries"

**Strike:** "for which a contributing cause was"

**Insert:** "incurred during"

4. Page 3, line 4 through line 9.

**Following:** "section." on line 4

**Strike:** remainder of line 4 through "section." on line 9

And, as amended, do pass. Report adopted.

**SB 404**, introduced bill, be amended as follows:

1. Page 1, line 22.

**Following:** the first "contributions"

**Insert:** "made before the suit resulting in judgment was filed"

2. Page 1, line 23.

**Following:** "contributions"

**Insert:** "made before the suit resulting in judgment was filed"

And, as amended, do pass. Report adopted.

**SB 416**, do pass. Report adopted.

**SB 435**, introduced bill, be amended as follows:

1. Title, line 8.

**Following:** "MCA;"

**Strike:** "AND"

2. Title, page 10.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

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3. Page 43, line 18.

**Insert:** "NEW SECTION. Section 60. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

**SB 463**, do pass. Report adopted.

**SB 473**, do pass. Report adopted.

**LABOR AND EMPLOYMENT RELATIONS** (Keating, Chairman):

2/17/1999

**SB 271**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Following:** "FOR"

**Strike:** "AN EMPLOYER"

**Insert:** "EMPLOYERS"

2. Title, page 1, line 5.

**Strike:** "DISCLOSES"

**Insert:** "DISCLOSE"

3. Title, line 6.

**Following:** " ;"

**Insert:** "PROVIDING THAT AN EMPLOYER'S ANSWER TO A REQUEST FROM A DISCHARGED EMPLOYEE FOR THE REASONS FOR DISCHARGE MAY NOT LIMIT THE EMPLOYER'S RIGHT TO PRESENT A FULL DEFENSE IN ANY WRONGFUL DISCHARGE ACTION; AMENDING SECTION 39-2-801, MCA;"

4. Page 1, line 11.

**Following:** "of"

**Insert:** "[nonpublic]"

**Following:** "information"

**Insert:** "-- limit on use of reason for discharge"

**Following:** "."

**Insert:** "(1)"

5. Page 1, line 12.

**Following:** "An"

**Insert:** "[A nonpublic]"

6. Page 1, line 17.

**Insert:** "(2) An [A nonpublic] employer's answer to a request from a discharged employee for the reasons for discharge may not limit the [nonpublic] employer's right to present a full defense in any action brought pursuant to Title 39, chapter 2, part 9, unless the discharged employee states clearly in the requesting letter that a wrongful discharge suit is contemplated and that the [nonpublic] employer's answer to the request may limit the defenses available to the [nonpublic] employer in the suit."

7. Page 1, line 18.

**Following:** line 17

**Insert:** "**Section 2.** Section 39-2-801, MCA, is amended to read:

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**"39-2-801. Employee to be furnished on demand with reason for discharge.** ~~(1) It is the duty of any person after having discharged any~~ An employer discharging an employee from his service, shall upon demand by such the discharged employee, to furnish him the discharged employee in writing with a full, succinct, and complete written statement of the reason ~~of his for the discharge, and if such person~~ If the employer refuses so to do to provide the statement within a reasonable time after ~~such the~~ demand, it is unlawful thereafter for ~~such person the employer~~ to furnish ~~any a~~ statement of the reason ~~of such for the~~ discharge to any person or in any way to blacklist or to prevent ~~such the~~ discharged person from procuring employment elsewhere; An employer violating this section is subject to the penalties and damages prescribed in this part.

(2) A statement demanded and provided pursuant to this section is subject to [section 1(2)]."

8. Page 1, line 22.

**Following:** "required."

**Insert:** "(1)"

9. Page 1, line 25.

**Insert:** "(2) The bracketed language in [section 1] is effective only if a two-thirds vote of the members of each house of the legislature is not received."

And, as amended, do pass. Report adopted.

**SB 365**, introduced bill, be amended as follows:

1. Page 2, line 29.

**Following:** "location"

**Insert:** "or that is located in a contiguous prevailing wage district"

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Sprague, Chairman):

2/17/1999

**SB 349**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "PROVIDING A \$2 MILLION APPROPRIATION FROM THE GENERAL FUND;"

2. Page 1, line 22.

**Strike:** "7"

**Insert:** "6"

3. Page 2.

**Following:** line 14

**Insert:** "(6) Interest and principal on loans from the fund must be repaid to the loan fund.

(7) Interest income generated by investment of the principal of the loan fund is retained in the loan fund account."

4. Page 2, line 18.

**Following:** "of"

**Insert:** "direct"

**Following:** "loans"

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**Insert:** "by the board"

5. Page 2, line 19.

**Following:** "(2)"

**Strike:** "The"

**Insert:** "After the initial principal is loaned to eligible applicants, the"

6. Page 3, line 19.

**Strike:** "7"

**Insert:** "6"

7. Page 3, line 26.

**Strike:** "7"

**Insert:** "6"

8. Page 3, line 28 through page 4, line 2.

**Strike:** section 7 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**SB 415**, do pass. Report adopted.

**SB 417**, do pass. Report adopted.

**SB 423**, do pass. Report adopted.

**TAXATION** (Devlin, Chairman):

2/17/1999

**SB 310**, introduced bill, be amended as follows:

1. Title, line 5.

**Strike:** "OR RANCHING"

**Insert:** ", RANCHING, MINING, OR OPERATING A RAILROAD"

2. Title, lines 6 and 7.

**Strike:** "'FARMING'" on line 6 through "RANCHING" on line 7

**Insert:** "'FARMING'"

3. Page 2, line 29.

**Strike:** "Farming or ranching"

**Insert:** "'Farming'"

4. Page 3, line 1.

**Strike:** "phrase"

**Insert:** "term"

5. Page 4, line 21.

**Strike:** "or"

**Insert:** ", "

6. Page 4, line 22.

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**Following:** "ranching"

**Insert:** ", mining, or railroad"

7. Page 4, line 26.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or operating railroad"

8. Page 4, line 27.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or operating a railroad"

9. Page 4, line 30.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or railroad"

10. Page 5.

**Following:** line 12

**Insert:** "(4) A person who pays a special fuel license tax on a purchase of special fuel that is used for heating fuel is entitled to a refund of the amount of tax paid."

**Renumber:** subsequent subsections

11. Page 5, line 18.

**Strike:** "(4)(a)"

**Insert:** "(5)(a)"

12. Page 7, line 12.

**Strike:** "RESTRICTING"

**Insert:** "ELIMINATING"

13. Page 7, line 13.

**Following:** "THE"

**Insert:** "CONSTRUCTION"

**Strike:** "OF FARMING OR RANCHING"

14. Page 7, lines 14 and 15.

**Strike:** "limiting" on line 14

**Insert:** "eliminating"

**Following:** "the" on line 14

**Insert:** "construction"

**Strike:** "of farming or ranching" on lines 14 and 15

15. Page 7, lines 16 and 17.

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**Strike:** "limiting" on line 16  
**Insert:** "eliminating"  
**Following:** "the" on line 16  
**Insert:** "construction"  
**Strike:** "of farming or ranching" on lines 16 and 17

And, as amended, do pass. Report adopted.

**SB 311**, introduced bill, be amended as follows:

1. Title, line 5.

**Strike:** "OR"

**Insert:** ", "

**Following:** "RANCHING"

**Insert:** ", MINING, OR OPERATING A RAILROAD"

2. Title, lines 6 and 7.

**Strike:** "'FARMING OR RANCHING'" on lines 6 and 7

**Insert:** "'FARMING'"

3. Page 2, line 23.

**Strike:** "Farming or ranching"

**Insert:** "'Farming'"

4. Page 2, line 25.

**Strike:** "phrase"

**Insert:** "term"

5. Page 3, line 24.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or operating railroad"

6. Page 3, line 25.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or operating a railroad"

7. Page 3, line 29.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or railroad"

8. Page 4, line 1.

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**Strike:** "(5) or (6)"  
**Insert:** "(6) or (7)"

9. Page 4.

**Following:** line 5

**Insert:** "(3) A person who pays a gasoline license tax on a purchase of gasoline that is used for heating fuel is entitled to a refund of the amount of tax paid."

**Renumber:** subsequent subsections

10. Page 4, line 12.

**Strike:** "(3)"

**Insert:** "(4)"

11. Page 4, line 29.

**Strike:** "or"

**Insert:** ", "

12. Page 4, line 30.

**Following:** the first "ranching"

**Insert:** ", mining, or operating railroad"

**Strike:** "or"

**Insert:** ", "

**Following:** the second "ranching"

**Insert:** ", mining, or operating a railroad"

13. Page 5, line 4.

**Strike:** "or"

**Insert:** ", "

**Following:** "ranching"

**Insert:** ", mining, or railroad"

14. Page 7, line 26.

**Following:** "THE"

**Insert:** "CONSTRUCTION"

**Strike:** "OF FARMING OR RANCHING"

15. Page 7, lines 27 and 28.

**Strike:** "limiting" on line 27

**Insert:** "eliminating"

**Following:** "the" on line 27

**Insert:** "construction"

**Strike:** "of farming or ranching" on lines 27 and 28

16. Page 7, lines 29 and 30.

**Strike:** "limiting" on line 29

**Insert:** "eliminating"

**Following:** "the" on line 29

**Insert:** "construction"



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**Strike:** "of farming or ranching" on lines 29 and 30

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE GOVERNOR**

February 16, 1999

The Honorable Bruce Crippen  
President of the Senate  
State Capitol  
Helena, Montana 59620

Dear Senator Crippen:

Please be informed that I have signed **Senate Bill 4** sponsored by Senator Mahlum, **Senate Bill 34** sponsored by Senator Jergeson, **Senate Bill 51** sponsored by Senator T. Keating, and **Senate Bill 141** sponsored by Senator Cole on February 16, 1999.

Sincerely,

MARC RACICOT  
Governor

**MESSAGES FROM THE OTHER HOUSE**

House joint resolution passed and transmitted to the Senate for concurrence: 2/16/1999

**HJR 16**, introduced by D. Ewer

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 2/16/1999

**SB 133**, introduced by A. Mohl

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 509**, introduced by L. Grosfield, T. Beck, J. Cobb, S. Doherty, D. Fuchs, R. Johnson, M. McCann, R. Peck, B. Raney, E. Swanson, C. Swysgood, T. Zook, referred to Taxation.

**SB 510**, introduced by E. Franklin, D. Ewer, referred to State Administration.

**SB 511**, introduced by J. Ellingson, R. Buzzas, T. Facey, S. Gallus, G. Gutsche, H. Harper, D. Harrington, R. Lenhart, L. McCulloch, C. Squires, C. Williams, referred to Public Health, Welfare and Safety.

**SB 512**, introduced by M. Halligan, referred to Local Government.

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

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**SJR 13**, introduced by S. Doherty, R. Buzzas, T. Dell, J. Ellingson, D. Ewer, T. Facey, E. Franklin, S. Gallus, K. Galvin-Halcro, K. Gillan, G. Gutsche, D. Harrington, G. Jergeson, C. Juneau, R. Lenhart, L. Nelson, B. Ryan, T. Schmidt, S. Stang, E. Swanson, J. Tester, J. Tropila, C. Williams, D. Wyatt, referred to State Administration.

**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 123** passed as follows:

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

Total 43

Nays: Miller, Swysgood, Thomas.

Total 3

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy, Wilson.

Total 4

Senator Wilson present at this time.

**SB 125** passed as follows:

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

Total 43

Nays: Miller, Nelson, Swysgood, Thomas.

Total 4

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

**SB 126** passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck,

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Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Mahlum, McNutt, Mesaros, Miller, Mohl, Roush, Shea, Sprague, Stang, Taylor, Tester, Toews, Waterman, Wells, Wilson, Mr. President.

Total 44

Nays: Nelson, Swysgood, Thomas.

Total 3

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

**SB 235** passed as follows:

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

Total 47

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

**SB 293** passed as follows:

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

Total 47

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

**SB 359** passed as follows:

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

Total 47

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

**SB 383** passed as follows:

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

Total 43

Nays: Bishop, Devlin, Glaser, Harp.

Total 4

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

**SB 397** passed as follows:

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

Total 46

Nays: Taylor.

Total 1

Absent or not voting: None.

Total 0

Excused: Bohlinger, Lynch, McCarthy.

Total 3

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**SB 410** passed as follows:

Yeas: Beck, Berry, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Ekegren, Ellingson, Ellis, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Mahlum, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Taylor, Tester, Toews, Wells, Wilson.  
Total 38

Nays: Bartlett, Bishop, Doherty, Eck, Franklin, Swysgood, Thomas, Waterman, Mr. President.  
Total 9

Absent or not voting: None.  
Total 0

Excused: Bohlinger, Lynch, McCarthy.  
Total 3

**HB 36** concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Mahlum, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.  
Total 47

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Bohlinger, Lynch, McCarthy.  
Total 3

**HB 141** concurred in as follows:

Yeas: Beck, Berry, Bishop, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Mahlum, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.  
Total 46

Nays: Bartlett.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Bohlinger, Lynch, McCarthy.  
Total 3

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Senators Bohlinger, McCarthy and Lynch present at this time.

**MOTIONS**

Majority Leader Harp moved that the Senate stand in recess until the hour of 1:45 p.m. for purpose of party caucuses. Motion carried.

Senate recessed at 1:16 p.m.

Senate reconvened at 1:55 p.m.

Roll Call. All members present.

**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 Jabs in the chair.

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

**HB 3** - Senator T. Keating moved HB 3 be concurred in. Motion carried unanimously.

**SB 224** - Senator T. Keating moved SB 224 do pass. 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, Jabs, Jergeson, Keating, Lynch, Mahlum, McCarthy, McNutt, Miller, Mohl, Roush, Shea, Sprague, Stang, Taylor, Tester, Thomas, Toews, Wilson, Mr. President.

Total 43

Nays: Holden, Keenan, Mesaros, Nelson, Swysgood, Waterman, Wells.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 153** - Senator M. Halligan moved SB 153 do pass. Motion carried unanimously.

**SB 241** - Senator S. Doherty moved SB 241 do pass. Motion carried unanimously.

**SB 251** - Senator M. Halligan moved SB 251 do pass. Motion carried unanimously.

**SB 314** - Senator D Grimes moved SB 314 do pass. Motion carried unanimously.

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**SB 362** - Senator T. Keating moved SB 362 do pass. Motion carried unanimously.

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

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Harp moved that the Senate adjourn until 12:45 p.m., Thursday, February 18, 1999. Motion carried.

Senate adjourned at 3:02 p.m.

ROSANA SKELTON  
Secretary of Senate

BRUCE CRIPPEN  
President of the Senate