

**SENATE JOURNAL
57TH LEGISLATURE
FOURTEENTH LEGISLATIVE DAY**

Helena, Montana
January 18, 2001

Senate Chambers
State Capitol

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

Roll Call. All members present, except Senators Grimes, Grosfield and Mohl, excused. Quorum present.

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

Miller, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 1/18/2001
Correctly printed: SB 1, SB 12, SB 40, SB 44, SB 103, SB 120, SB 142, SB 217, SB 264, SB 265, SB 266, SB 267, SB 268.
Correctly engrossed: SB 58, SB 104, HB 17.

BUSINESS AND LABOR (Taylor, Chairman): 1/18/2001
SB 30, do pass. Report adopted.
SB 156, introduced bill, be amended as follows:

1. Page 1, line 26.
Strike: "compensation"
Insert: "benefits"

And, as amended, do pass. Report adopted.

JUDICIARY (Grimes, Vice Chairman): 1/18/2001
SB 28, do pass. Report adopted.
SB 209, do pass. Report adopted.

NATURAL RESOURCES (Crismore, Chairman): 1/18/2001
SB 92, do pass. Report adopted.
SB 146, introduced bill, be amended as follows:

1. Page 2, line 15.
Strike: "the term as defined in 75-6-102"
Insert: "a public water supply system that serves at least 15 service connections used by year-round residents or that regularly serves at least 25 year-round residents"

And, as amended, do pass. Report adopted.

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STATE ADMINISTRATION (Hargrove, Chairman): 1/17/2001
SB 184, do pass. Report adopted.
SB 235, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 1/17/2001

HB 23, introduced by R. Erickson
HB 24, introduced by R. Erickson
HB 45, introduced by Witt
HB 71, introduced by Gallik
HB 150, introduced by Bitney
HB 184, introduced by Gallus

FIRST READING AND COMMITMENT OF BILLS

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

SB 269, introduced by McNutt, Bales, Cole, Devlin, Hedges, R. Holden, Kasten, Kitzenberg, Lenhart, Lindeen, Matthews, Nelson, Pattison, Smith, Steinbeisser, Zook, referred to Energy and Telecommunications.
SB 270, introduced by Toole, referred to Natural Resources.
SB 271, introduced by Toole, referred to Public Health, Welfare and Safety.
SB 272, introduced by Toole, referred to Business and Labor.
SB 273, introduced by Stapleton, referred to Education and Cultural Resources.
SB 274, introduced by Keenan, referred to Business and Labor.
SB 275, introduced by Hargrove, referred to State Administration.
SB 276, introduced by Toole, Christiaens, Doherty, Ellingson, Franklin, Gallus, Pease, Ryan, referred to Energy and Telecommunications.
SB 277, introduced by Shea, referred to Business and Labor.
SB 278, introduced by Berry, Bales, Christiaens, Clancy, Cole, Dale, Davies, Ekegren, Ellis, Glaser, Grimes, Harrington, Mahlum, D. Mood, O'Neil, Roush, Tash, F. Thomas, referred to Local Government.
SB 279, introduced by McNutt, Sliter, referred to Business and Labor.
SB 280, introduced by McNutt, referred to Taxation.
SB 281, introduced by Mahlum, Adams, Cocchiarella, Jackson, Raser, referred to Taxation.

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

HB 23, introduced by R. Erickson (by request of the Revenue and Taxation Interim Committee), referred to Taxation.
HB 24, introduced by R. Erickson (by request of the Revenue and Taxation Interim Committee), referred to Taxation.
HB 45, introduced by Witt (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
HB 71, introduced by Gallik, referred to Business and Labor.
HB 150, introduced by Bitney (by request of the Department of Labor and Industry), referred to Business and Labor.
HB 184, introduced by Gallus, Cocchiarella, Eggers, Harrington, Keane, Laslovich, McCarthy, Shea, (by request of the Attorney General) referred to Judiciary.

Senator Elliott excused at this time.

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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 1 passed as follows:

Yeas: Berry, Bohlinger, Butcher, Cobb, Cole, Crismore, DePratu, Ekegren, Ellis, Hargrove, Holden, Johnson, Keenan, Mahlum, McNutt, Miller, O'Neil, Ryan, Sprague, Stapleton, Tash, Taylor, Thomas, Wells, Zook, Mr. President.
Total 26

Nays: Bishop, Christiaens, Cocchiarella, Doherty, Ellingson, Elliott, Franklin, Glaser, Halligan, Harrington, Jergeson, Kitzenberg, McCarthy, Nelson, Pease, Roush, Shea, Stonington, Tester, Toole, Waterman.
Total 21

Absent or not voting: None.
Total 0

Excused: Grimes, Grosfield, Mohl.
Total 3

Senator Elliott present at this time.

SB 12 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 47

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Grimes, Grosfield, Mohl.
Total 3

SB 40 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 47

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Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Grimes, Grosfield, Mohl.
Total 3

SB 44 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 47

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Grimes, Grosfield, Mohl.
Total 3

SB 103 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 47

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Grimes, Grosfield, Mohl.
Total 3

Senator Grimes present at this time.

SB 120 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren,

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Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Grosfield, Mohl.

Total 2

SR 2 adopted as follows:

Yeas: Berry, Bohlinger, Butcher, Cobb, Cocchiarella, Cole, Crismore, DePratu, Ekegren, Elliott, Ellis, Glaser, Grimes, Grosfield, Hargrove, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Mohl, Nelson, O'Neil, Roush, Shea, Sprague, Stapleton, Tash, Taylor, Tester, Thomas, Wells, Zook, Mr. President.

Total 38

Nays: Bishop, Christiaens, Doherty, Ellingson, Franklin, Halligan, Harrington, Pease, Ryan, Stonington, Toole, Waterman.

Total 12

Paired: Grosfield, Mohl, Ayes; Doherty, Ellingson, Noes.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 17 concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cobb, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ekegren, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Holden, Jergeson, Johnson, Keenan, Kitzenberg, Mahlum, McCarthy, McNutt, Miller, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Sprague, Stapleton, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Grosfield, Mohl.

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Total 2

MOTIONS

SB 1 - Senator Elliott moved that he be shown as voting nay on SB 1, third reading this legislative day. Motion carried.

SPECIAL ORDERS OF THE DAY

Senator Miller introduced Miss Montana, Jana LaBree to the Senate. Miss Montana entertained the Senate with a ventriloquist act naming all 50 states.

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

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

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

SB 114 - Senator Taylor moved SB 114 do pass. After discussion, Senator Taylor made a substitute motion that SB 114 be moved to the bottom of the second reading board this legislative day for purpose of amendment. Motion carried unanimously.

SB 148 - Senator Tester moved SB 148, second reading copy, be amended as follows :

1. Page 2, line 30.

Following: "individual"

Insert: ", in a notarized written document,"

Amendment **adopted** unanimously.

SB 148 - Senator Halligan moved SB 148, second reading copy, be further amended as follows :

1. Page 5, line 25.

Following: "COURT."

Insert: "A record of dissolution of marriage designated confidential by the court may be provided to a federal, state, or local government agency upon request when the record is used solely in the conduct of the agency's official duties."

Amendment **adopted** unanimously.

SB 148 - Senator Tester moved SB 148, as amended, do pass. Motion carried unanimously.

SB 104 - Senator Sprague moved SB 104 do pass. Motion carried with Senators Cobb, Ellis, McCarthy and Waterman voting nay.

SB 58 - Senator Halligan moved SB 58 do pass. Motion carried unanimously.

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SB 142 - Senator Sprague moved SB 142 do pass. Motion carried unanimously.

SB 217 - Senator Cobb moved SB 217 do pass. Motion carried unanimously.

SB 114 - Senator Taylor moved that consideration of SB 114 on second reading this legislative day, be passed for the day. Motion carried.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Beck in the chair. Chairman Keenan moved the Committee of the Whole report be adopted. Report adopted unanimously.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Friday, January 19, 2001. Motion carried.

Senate adjourned at 2:25 p.m.

ROSANA SKELTON
Secretary of Senate

TOM BECK
President of the Senate