

**SENATE JOURNAL
57TH LEGISLATURE
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
January 27, 2001

Senate Chambers
State Capitol

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

Roll Call. All members present except Senators Cobb, Ekegren, Grosfield, Holden, Kitzenberg, Sprague, Stapleton, and McCarthy, excused. Quorum present.

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

Miller, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 1/27/2001
Correctly printed: SB 2, SB 132, SB 164, SB 168, SB 170, SB 189, SB 223, SB 234, SB 238, SB 252, SB 254, SB 269, SB 314, SB 315, SB 316, SB 317, SB 318, SB 319, SB 320, SB 321, SB 322, SB 323, SB 324, SB 325, SB 326, SB 327, SB 328, SB 329, SB 330, SB 331, SB 332, SJR 9, SJR 10, SR 18, HB 29, HB 39, HB 52, HB 56, HB 112.
Correctly engrossed: SB 50, SB 57, SB 90, SB 161, SB 240, SB 262.

STATE ADMINISTRATION (Hargrove, Chairman): 1/26/2001
SR 3, be adopted. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 1/26/2001

HB 21, introduced by Eggers
HB 41, introduced by Witt
HB 74, introduced by E. Clark
HB 94, introduced by Gillan
HB 109, introduced by Mangan
HB 165, introduced by Gutsche

MOTIONS

SB 162 - Senator Thomas moved that consideration of **SB 162** on second reading this legislative day, be passed for the day. Motion carried.

**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 Butcher in the chair.

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

SB 29 - Senator McNutt moved SB 29 do pass. Motion carried unanimously.

SB 130 - Senator F. Thomas moved SB 130 do pass. Motion carried unanimously.

SB 192 - Senator DePratu moved SB 192 do pass. Motion carried unanimously.

SB 279 - Senator McNutt moved SB 279 do pass. After discussion, Senator McNutt requested that consideration of SB 279 be placed at the bottom of the second reading board in order that he could check on an amendment to the bill.

SJR 4 - Senator Taylor moved SJR 4 be adopted. Motion carried with Senator O'Neil voting nay.

SB 279 - Senator McNutt made a substitute motion that consideration of SB 279 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 Butcher moved the Committee of the Whole report be adopted. Report adopted unanimously.

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 2 passed as follows:

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

Total 39

Nays: Elliott, Johnson, Toole.

Total 3

Absent or not voting: None.

Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.

Total 8

SB 132 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Jergeson, Johnson, Keenan, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman,

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Wells, Zook, Mr. President.
Total 42

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.
Total 8

SB 164 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Jergeson, Johnson, Keenan, Mahlum, McNutt, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 41

Nays: Miller.
Total 1

Absent or not voting: None.
Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.
Total 8

SB 170 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Jergeson, Johnson, Keenan, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 42

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.
Total 8

SB 189 passed as follows:

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

Total 42

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.

Total 8

SB 234 passed as follows:

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

Total 42

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.

Total 8

SB 238 passed as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Jergeson, Johnson, Keenan, Mahlum, McNutt, Mohl, O'Neil, Pease, Roush, Ryan, Shea, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Zook, Mr. President.

Total 38

Nays: Cole, Miller, Nelson, Wells.

Total 4

Absent or not voting: None.

Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.

Total 8

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SB 252 passed as follows:

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

Total 42

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.

Total 8

SB 254 passed as follows:

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

Total 42

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.

Total 8

HB 39 concurred in as follows:

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

Total 42

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.
Total 8

HB 52 concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Jergeson, Johnson, Keenan, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 42

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.
Total 8

HB 112, as amended by the Senate, concurred in as follows:

Yeas: Berry, Bishop, Bohlinger, Butcher, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Ellingson, Elliott, Ellis, Franklin, Glaser, Grimes, Halligan, Hargrove, Harrington, Jergeson, Johnson, Keenan, Mahlum, McNutt, Miller, Mohl, Nelson, O'Neil, Pease, Roush, Ryan, Shea, Stonington, Tash, Taylor, Tester, Thomas, Toole, Waterman, Wells, Zook, Mr. President.
Total 42

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Cobb, Ekegren, Grosfield, Holden, Kitzenberg, McCarthy, Sprague, Stapleton.
Total 8

ANNOUNCEMENTS

Senator Berry introduced the Senate pages, gave a brief overview of their future plans, and thanked them for their work for the Senate.

Committee meetings were announced by committee chairmen.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Monday, January 29, 2001. Motion carried.

Senate adjourned at 9:06 a.m.

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ROSANA SKELTON
Secretary of Senate

TOM BECK
President of the Senate