

**SENATE JOURNAL  
60TH LEGISLATURE  
FIFTH LEGISLATIVE DAY**

Helena, Montana  
January 9, 2007

Senate Chambers  
State Capitol

Senate convened at 1 p.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. **SEN. GERALD PEASE, SD 21, LODGE GRASS** excused . Quorum present.

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 44

Nays: Balyeat, Gebhardt, Jackson, O'Neil, Shockley.

Total 5

Absent or not voting: None.

Total 0

Excused: Pease.

Total 1

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE, LIVESTOCK AND IRRIGATION (Hansen, Chairman):** 1/9/2007  
**SB 59**, do pass. Report adopted.

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Cocchiarella, Chairman):** 1/9/2007  
**SB 43**, do pass. Report adopted.

**EDUCATION AND CULTURAL RESOURCES (Ryan, Chairman):** 1/9/2007  
**SB 16**, do pass. Report adopted.

**RULES (Williams, Chairman):** 1/9/2007  
**SJR 1**, be adopted. Report adopted.

**MOTIONS**

**SEN. JESSE LASLOVICH, SD 43, ANACONDA** moved SB202 to Judiciary Committee. Motion carried.

**SEN. DAVE LEWIS, SD 42, HELENA** moved to add **SEN. JIM SHOCKLEY, SD 45, VICTOR** to SB 200. Motion carried.

**SEN. DAVE LEWIS, SD 42, HELENA** moved to add **SEN. CAROLYN SQUIRES, SD 48, MISSOULA** to SB 19. Motion carried.

Correctly printed: **SB 16, SB 20, SB 21, SB 39, SB 40, SB 43, SB 59, SB 88, SB 210, SB 211, SB 212, SB 213, SB 214, SB 215, SB 216, SB 217, SB 218, SB 219, SB 220, SB 221, SB 222, SB 223.**

SENATE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

Correctly engrossed: **SB 50**.

**FIRST READING AND COMMITMENT OF BILLS**

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

- SB 210**, introduced by Laslovich, referred to Taxation.
- SB 211**, introduced by Larson, referred to Business, Labor, and Economic Affairs.
- SB 212**, introduced by Cobb, referred to Public Health, Welfare and Safety.
- SB 213**, introduced by Cobb, referred to State Administration.
- SB 214**, introduced by Lewis, referred to Business, Labor, and Economic Affairs.
- SB 215**, introduced by Harrington, Gallus, Keane, referred to Taxation.
- SB 216**, introduced by Weinberg, referred to Public Health, Welfare and Safety.
- SB 217**, introduced by Elliott, referred to Taxation.
- SB 218**, introduced by Lind, Cobb, Erickson, referred to Natural Resources and Energy.
- SB 219**, introduced by Balyeat, Musgrove, referred to State Administration.
- SB 220**, introduced by Elliott, referred to Taxation.
- SB 221**, introduced by Bales, Black, Himmelberger, Ross, Kerns, Lambert, Hawk, Beck, Cobb, referred to State Administration.
- SB 222**, introduced by Esp, referred to Highways and Transportation.
- SB 223**, introduced by J. Peterson, Bales, Lambert, Himmelberger, Ross, Kerns, McGee, referred to Natural Resources and Energy.

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

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

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

**SB 88** - Senator Hawks moved **SB 88** do pass. Motion carried with 48 Senators Yea and Senator O'Neil voting Nay.

**SB 21** - Senator Larson moved **SB 21** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Pease.

SENATE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

Total 1

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman J. Tropila moved the Committee of the Whole report be adopted. Report adopted unanimously.

**SPECIAL ORDERS OF THE DAY**

**LEGISLATIVE ADMINISTRATION** (Smith, Chairman):

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 5:00 p.m., Friday, January 5, 2007:

<u>TITLE</u>	<u>NAME</u>
Pages:	Danielle Beveridge, Helena Ellie Newell, Helena Shauna Milne-Price Brianne DeWitt, Helena

and recommend that the following attaches of the Senate be employed as of 1 p.m., Tuesday, January 9, 2007:

<u>TITLE</u>	<u>NAME</u>
Pages:	Kirsten Aasen, Helena Logan Faure, Helena Derek Janni, Whitefish Kelly Gilman, Helena Stefani McGraw, Cardwell

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hansen, Chairman): 1/9/2007  
SB 59, do pass. Report adopted.

JUDICIARY (Laslovich, Chairman): 1/9/2007  
SB 20, do pass. Report adopted.  
SB 39, do pass. Report adopted.  
SB 50, introduced bill, be amended as follows:

1. Title, line 8.

**Following:** "DEPARTMENT"

**Insert:** "OR YOUTH COURT"

2. Title, line 8 through line 9.

SENATE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

**Following:** "EMPLOYEE" on line 8  
**Strike:** remainder of line 8 through "OFFICER" on line 9  
**Insert:** ", CONTRACTOR, OR VOLUNTEER"

3. Page 1, line 28 through line 29.

**Following:** "is" on line 28  
**Strike:** remainder of line 28 through "5" on line 29  
**Insert:** "an employee, contractor, or volunteer of the youth court and has supervisory or disciplinary authority over the victim"

4. Page 2, line 25 through line 26.

**Following:** "perpetrator is" on line 25  
**Strike:** remainder of line 25 through "5" on line 26  
**Insert:** "an employee, contractor, or volunteer of the youth court and has supervisory or disciplinary authority over the victim"

And, as amended, do pass. Report adopted.

RULES (Williams, Chairman): 1/9/2007  
SR 1, be adopted. Report adopted.

STATE ADMINISTRATION (Squires, Chairman): 1/9/2007  
SB 40, do pass. Report adopted.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn until 1 p.m., Wednesday, January 10, 2007. Motion carried.

Senate adjourned at 1:36 p.m.

JOHN MUDD  
Secretary of the Senate

MIKE COONEY  
President of the Senate