

**SENATE JOURNAL
SIXTIETH LEGISLATIVE DAY**

Helena, Montana
March 17, 1999

Senate Chambers
State Capitol

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

Roll Call. All members present except Senator Doherty, excused. Quorum present.

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

Miller, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 3/17/1999
Correctly printed: SB 521, SJR 14, HB 17, HB 27, HB 44, HB 65, HB 100, HB 126, HB 129, HB 136, HB 167, HB 187, HB 227, HB 228, HB 230, HB 362, HB 399, HB 508, HB 512, HB 557, HB 561, HB 616, HB 620, HJR 25.
Correctly engrossed: SJR 10, HB 430, HB 469, HB 580, HB 592, HJR 26, HJR 27.
Correctly enrolled: SB 87, SB 90, SB 99, SB 127, SB 131, SB 166, SB 227, SB 245, SB 290, SB 299, SB 317, SB 351, SB 428.
Examined by the sponsor and found to be correct: SB 87, SB 90, SB 99, SB 127, SB 131, SB 166, SB 227, SB 245, SB 290, SB 299, SB 317, SB 351, SB 428.
Signed by the Speaker at 3:19 p.m., March 16, 1999: SB 29, SB 44, SB 98, SB 114, SB 136, SB 188, SB 196, SB 197, SB 230, SB 291, SB 296, SB 394, SB 396.
Delivered to the Governor for his approval at 10:00 a.m., March 17, 1999: SB 29, SB 44, SB 98, SB 114, SB 136, SB 188, SB 196, SB 197, SB 230, SB 291, SB 296, SB 394, SB 396.

JUDICIARY (Grosfield, Chairman): 3/16/1999
HB 53, be amended as follows:

1. Title, line 5.

Following: "CORONER"

Insert: "OR DEPUTY CORONER"

2. Page 1, line 25.

Following: "coroner"

Insert: "or deputy coroner"

3. Page 2, line 12.

Following: "~~executed~~"

Insert: ", excluding department of corrections staff necessary to carry out the execution"

4. Page 2, line 24.

Following: line 23

Insert: "(8) The rejection of a witness under subsection (6)(c) is not grounds for stay of the execution."

And, as amended, be concurred in. Report adopted.

HB 76, be concurred in. Report adopted.

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HB 106, be concurred in. Report adopted.

HB 310, be amended as follows:

1. Title, line 5.

Following: "WHEN A"

Strike: "YOUTH HAS BEEN FOUND BY A"

2. Title, line 6.

Following: "OFFICER"

Strike: "OR THE YOUTH COURT TO BE"

Insert: "HAS REASON TO BELIEVE THAT A YOUTH IS"

3. Title, line 7.

Following: "ACTIVITY"

Insert: "BEARING ON THE SAFETY OF CHILDREN"

4. Title, line 9.

Following: "PUPILS,"

Strike: "AUTHORIZING A SCHOOL DISTRICT TO"

5. Title, line 10 through line 12.

Following: "~~LAW~~" on line 10

Strike: remainder of line 10 through "COURT;" on line 12

6. Page 2, line 8 through line 19.

Following: "INVESTIGATION" on line 8

Strike: remainder of line 8 through "COURT" on line 19

Insert: "has been completed a juvenile probation officer and the youth court have reason to believe that a youth is currently involved with drug use or other criminal activity that has a bearing on the safety of children, the youth court shall notify the school district that the youth presently attends or the school district that the youth has applied to attend"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Sprague, Chairman):

3/17/1999

HB 411, be concurred in. Report adopted.

STATE ADMINISTRATION (Cole, Chairman):

3/16/1999

HB 585, be concurred in. Report adopted.

HJR 12, be concurred in. Report adopted.

HJR 31, be concurred in. Report adopted.

TAXATION (Devlin, Chairman):

3/17/1999

SB 308, do pass. Report adopted.

SB 522, do pass. Report adopted.

HJR 19, be concurred in. Report adopted.

MOTIONS

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SB 222, House Amendments - Senator Nelson moved that consideration of House Amendments to SB 222 be passed for the day. Motion carried.

SJR 10 - Senator Nelson moved that consideration of SJR 10 be passed for the day. Motion carried.

MESSAGES FROM THE GOVERNOR

March 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 1** sponsored by Senator D. Mahlum et al., **Senate Bill 18** sponsored by Senator L. Nelson et al., **Senate Bill 32** sponsored by Senator D. Grimes, **Senate Bill 88** sponsored by Senator S. Stang, **Senate Bill 95** sponsored by Senator L. Grosfield, **Senate Bill 115** sponsored by Senator S. Stang, **Senate Bill 120** sponsored by Senator S. Bartlett, **Senate Bill 203** sponsored by Senator Bartlett et al., and **Senate Bill 231** sponsored by Senator Jabs on March 16 1999.

Sincerely,

MARC RACICOT
Governor

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 3/17/1999

HB 13, introduced by R. Johnson

FIRST READING AND COMMITMENT OF BILLS

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

SJR 15, introduced by F. Thomas, S. Bartlett, D. Berry, V. Cocchiarella, A. Ellis, T. Keating, B. Keenan, W. McNutt, B. Wilson, referred to Labor and Employment Relations.

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

HB 13, introduced by R. Johnson (by request of the Governor), referred to Finance and Claims.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

SB 112, as amended by the House, passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

SB 128, as amended by the House, passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 17 concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

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Excused: Doherty.
Total 1

HB 44 concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 100, as amended by the Senate, concurred in as follows:

Yeas: Bartlett, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Nelson, Roush, Shea, Sprague, Stang, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 42

Nays: Beck, Devlin, Mesaros, Miller, Mohl, Swysgood, Taylor.
Total 7

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 126, as amended by the Senate, requiring a 2/3 vote because it deals with the State's liability, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

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Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 129, as amended by the Senate, requiring a 2/3 vote because it deals with the State's liability, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 136 concurred in as follows:

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

Nays: Swysgood, Taylor, Toews.
Total 3

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 167 concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

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Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 187, as amended by the Senate, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 227 concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 228 concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, 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.

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Total 48

Nays: Miller.

Total 1

Absent or not voting: None.

Total 0

Excused: Doherty.

Total 1

HB 230 concurred in as follows:

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Doherty.

Total 1

HB 512 concurred in as follows:

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

Total 47

Nays: Devlin, Swysgood.

Total 2

Absent or not voting: None.

Total 0

Excused: Doherty.

Total 1

HB 557, as amended by the Senate, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs,

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Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 561 concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HB 592, as amended by the Senate, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Doherty.
Total 1

HJR 25 concurred in as follows:

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Yeas: Bartlett, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Crismore, Eck, Ekegren, Ellingson, Franklin, Grimes, Grosfield, Halligan, Hargrove, Harp, Holden, Jergeson, Keating, Lynch, McCarthy, Mohl, Nelson, Roush, Shea, Sprague, Stang, Tester, Thomas, Waterman, Wilson, Mr. President.

Total 32

Nays: Beck, Cole, DePratu, Devlin, Ellis, Glaser, Hertel, Jabs, Keenan, Mahlum, McNutt, Mesaros, Miller, Swysgood, Taylor, Toews, Wells.

Total 17

Absent or not voting: None.

Total 0

Excused: Doherty.

Total 1

MOTIONS

Senator Harp moved that the Senate stand in recess until the hour of 1:40 p.m. for purpose of party caucuses. Motion carried.

Senate recessed at 1:21 p.m.

Senate reconvened at 1:50 p.m.

Roll Call. All members present except Senator Doherty, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

Majority Leader Harp recognized Senator J. D. Lynch and complimented him for his remarkable job in presenting his speech to the gathering of The Friendly Sons of St. Patrick in Butte the previous evening.

The Senate stood at ease while Mark Staples entertained the Senate and gallery with his rendition of Danny Boy and several other Irish songs in honor of Senator Lynch and St. Patrick's Day.

**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 Lynch in the chair.

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

SB 60, House Amendments - Senator M. Halligan moved House Amendments to SB 60 be concurred in. Motion carried unanimously.

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SB 72, House Amendments - Senator B. Keenan moved House Amendments to SB 72 be concurred in. Motion carried unanimously.

SB 165, House Amendments - Senator D. Shea moved House Amendments to SB 165 be concurred in. Motion carried unanimously.

SB 176, House Amendments - Senator J. Bohlinger moved House Amendments to SB 176 be concurred in. Motion carried unanimously.

SB 189, House Amendments - Senator D. Berry moved House Amendments to SB 189 be concurred in. Motion carried unanimously.

SB 214, House Amendments - Senator S. Bartlett moved House Amendments to SB 214 be concurred in. Motion carried unanimously.

HB 275 - Senator D. Eck moved HB 275 be concurred in. Motion carried unanimously.

HB 304 - Senator A. Ellis moved HB 304 be concurred in. Motion carried unanimously.

HB 414 - Senator D. Toews moved HB 414 be concurred in. Motion carried unanimously.

HB 419 - Senator B. Stang moved HB 419 be concurred in. Motion carried unanimously.

HB 583 - Senator R. Holden moved HB 583 be concurred in. Motion carried unanimously.

HB 551 - Senator D. Eck moved HB 551 be concurred in. Motion carried unanimously.

SB 103, House Amendments - Senator E. Franklin moved House Amendments to SB 103 be concurred in. After discussion, and without objection, consideration of House Amendments to SB 103 was moved to the bottom of the second reading board.

SB 108, House Amendments - Senator D. Berry moved consideration of House Amendments to SB 108 be passed for the day. Motion carried unanimously.

SB 113, House Amendments - Senator D. Mahlum moved House Amendments to SB 113 be **not** concurred in. Motion carried unanimously.

SB 243, House Amendments - Senator F. Thomas moved House Amendments to SB 243 be **not** concurred in. Motion carried unanimously.

SB 325, House Amendments - Senator J. Hertel moved House Amendments to SB 325 be **not** concurred in. Motion carried unanimously.

SB 260, Free Conference Committee - Senator Devlin moved that consideration of the Free Conference Committee Report on SB 260 be placed below HB 65 of the second reading board this legislative day because the report was not on the members' desks. Motion carried.

SB 521 - Senator D. Hargrove moved SB 521 do pass. Motion carried unanimously.

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HB 65 - Senator S. Bartlett moved HB 65 be concurred in. Motion carried unanimously.

SB 260, Free Conference Committee - Senator G. Devlin moved consideration of the Free Conference Committee Report to SB 260 be placed below HB 430 on the second reading board as the report was not on the desks. Motion carried unanimously.

HB 362 - Senator J. Tester moved HB 362 be concurred in. Motion carried unanimously.

HB 399 - Senator F. Thomas moved HB 399, second reading copy, be amended as follows :

1. Page 2, line 1.

Strike: "diagnosis,"

Following: "treatment"

Strike: ", "

2. Page 2, line 22.

Strike: "OR"

3. Page 2, line 23.

Following: line 22

Insert: "(e) diagnosis of a medical condition by a physician located outside the state, based upon an x-ray, cardiogram, pap smear, or other specimen sent for evaluation to the physician outside the state by a health care provider in Montana; or"

Renumber: subsequent subsection

Amendment **adopted** unanimously.

HB 399 - Senator D. Eck moved HB 399, as amended, be concurred in. Motion carried with Senators Christiaens and Taylor voting nay.

HB 430 - Senator V. Cocchiarella moved HB 430 be concurred in. Motion carried unanimously.

SB 260, Free Conference Committee - Senator B. Glaser moved that the Free Conference Committee Report on SB 260 be adopted. Motion carried as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Christiaens, Cole, Crismore, DePratu, Devlin, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Shea, Sprague, Swysgood, Taylor, Thomas, Toews, Wells, Mr. President.

Total 39

Nays: Bartlett, Cocchiarella, Eck, Ellingson, Jergeson, Roush, Stang, Tester, Waterman, Wilson.

Total 10

Absent or not voting: None.

Total 0

Excused: Doherty.

Total 1

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Senator Harp moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Lynch moved the Committee of the Whole report be adopted. Senator Harp made a substitute motion that **HB 430** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried.

MOTIONS

SB 113 - Senator Harp moved that the President be authorized to appoint a Conference Committee, and request the House to appoint a like committee, to confer on House Amendments to SB 113. Motion carried. The president appointed the following members:

Senator Mahlum, Chairman
Senator Hertel
Senator Roush

SB 325 - Senator Harp moved that the President be authorized to appoint a **Free** Conference Committee to meet with a like committee from the House to confer on SB 325. Motion carried. The President appointed the following members:

Senator Hertel, Chairman
Senator Wells
Senator Waterman

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Harp moved that the Senate adjourn until 1:00 p.m., Thursday, March 18, 1999. Motion carried.

Senate adjourned at 3:06 p.m.

ROSANA SKELTON
Secretary of Senate

BRUCE CRIPPEN
President of the Senate