

**SENATE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
April 1, 1999

Senate Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

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

Miller, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS AND JOURNAL** (Miller, Chairman): 4/1/1999  
Correctly enrolled: SB 190, SB 200, SB 423, SB 463, SB 470, SB 477, SB 481, SJR 4.  
Examined by the sponsor and found to be correct: SB 200.  
Signed by the Secretary of Senate at 8:30 a.m., April 1, 1999: SB 200.  
Signed by the President at 8:50 a.m., April 1, 1999: SB 200.  
Signed by the Speaker at 9:00 a.m., April 1, 1999: SB 200.  
Signed by the Speaker at 9:25 a.m., April 1, 1999: SB 321, SB 352, SB 362, SB 365, SB 412, SB 435, SB 468, SB 471, SB 501, SB 521.

**LEGISLATIVE ADMINISTRATION** (Beck, Chairman): 4/1/1999  
**MR. PRESIDENT:**  
We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 1:00 p.m., Thursday, April 1, 1999:

<u>TITLE</u>	<u>NAME</u>
Pages:	Sam Bergman Aaron Engebreston Scott Holland Kassidy Olson Elizabeth Snoddy Robert Shupe Autum Wittman

and recommend that the following attaches of the Senate be employed as of 1:00 p.m., Tuesday, April 6, 1999:

<u>TITLE</u>	<u>NAME</u>
Pages:	Terra Bremner, Browning, MT Lauren Cromwell, Missoula, MT Askley Fergus, Billings, MT Bess Frideres, Helena, MT Sarah Lassle, Glendive, MT

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Nick Lockridge, Missoula, MT  
Kirsten Uffelman, Hardin, MT

Report Adopted.

**MESSAGES FROM THE GOVERNOR**

March 31, 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 64** sponsored by Senator A. Mohl and **Senate Bill 240** sponsored by Senator Grimes on March 31, 1999.

Sincerely,

MARC RACICOT  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

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

**SJR 21**, introduced by Hargrove, referred to Local Government.

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

**HB 240**, introduced by Swanson, DePratu, Mood, Ohs, Tester, Tuss, Waterman, referred to Taxation.

**HB 260**, introduced by Mood, DePratu, Grosfield, Ohs, Swanson, referred to Finance and Claims.

**HB 350**, introduced by Brainard, referred to State Administration.

**HB 678**, introduced by Story, R. Erickson, Gillan, Guggenheim, Hanson, Hibbard, Rehbein, referred to Taxation.

**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 200, Free Conference Committee Report No. 1**, adopted as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Jabs, Keating, Keenan, Mahlum, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Sprague, Swysgood, Taylor, Tester, Thomas, Toews, Wells, Wilson, Mr. President.  
Total 38

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Nays: Bartlett, Doherty, Eck, Ellingson, Franklin, Halligan, Jergeson, Lynch, McCarthy, Shea, Stang, Waterman.  
Total 12

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 2, as amended by the Senate**, concurred in 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, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Waterman, Wilson, Mr. President.  
Total 47

Nays: Miller, Toews, Wells.  
Total 3

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 315, as amended by the Senate**, concurred in as follows:

Yeas: Bartlett, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, DePratu, Doherty, Eck, Ekegren, Ellingson, Franklin, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Roush, Shea, Sprague, Taylor, Thomas, Waterman, Wells, Wilson, Mr. President.  
Total 39

Nays: Beck, Crismore, Devlin, Ellis, Glaser, Keenan, Miller, Stang, Swysgood, Tester, Toews.  
Total 11

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 470, as amended by the Senate**, concurred in as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, 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, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Wells, Wilson, Mr. President.  
Total 47

Nays: Bartlett, Nelson, Waterman.  
Total 3

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 478, as amended by the Senate**, concurred in as follows:

Yeas: Bartlett, Berry, Bishop, Bohlinger, Christiaens, DePratu, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Halligan, Hargrove, Harp, Jabs, Keating, Lynch, Mahlum, McCarthy, Miller, Sprague, Taylor, Thomas, Waterman, Wells, Mr. President.  
Total 28

Nays: Beck, Cocchiarella, Cole, Crismore, Devlin, Grimes, Grosfield, Hertel, Holden, Jergeson, Keenan, McNutt, Mesaros, Mohl, Nelson, Roush, Shea, Stang, Swysgood, Tester, Toews, Wilson.  
Total 22

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 488, as amended by the Senate, a Constitutional Amendment**, received the vote as follows:

Yeas: Bishop, DePratu, Doherty, Ellingson, Franklin, Glaser, Halligan, Harp, Keating, Keenan, Mohl.  
Total 11

Nays: Bartlett, Beck, Berry, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, Devlin, Eck, Ekegren, Ellis, Grimes, Grosfield, Hargrove, Hertel, Holden, Jabs, Jergeson, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.  
Total 39

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 533, as amended by the Senate**, concurred in as follows:

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Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, 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, Taylor, Tester, Thomas, Toews, Waterman, Wilson, Mr. President.

Total 46

Nays: Devlin, Stang, Swysgood, Wells.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 536, as amended by the Senate**, concurred in 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 596, as amended by the Senate**, concurred in 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

**HB 649** concurred in 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, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HJR 18, as amended by the Senate**, concurred in as follows:

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

Total 40

Nays: Crismore, DePratu, Devlin, Grimes, Hertel, Jabs, Stang, Swysgood, Taylor, Thomas.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**MOTIONS**

**SB 200** - Senator Jabs moved that he be allowed to change his vote on SB 200, third reading this legislative day, from nay to yea. Motion carried.

**HB 488** - Senator Ekegren moved that he be allowed to change his vote on HB 488, third reading this legislative day, from yea to nay. Motion carried.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

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Senator Thomas acknowledged the Senate pages, gave a brief overview of their future plans, and thanked them for their work for the Senate through the week.

Majority Leader Harp moved that the Senate adjourn until 4:00 p.m., Tuesday, April 6, 1999. Motion carried.

Senate adjourned at 8:30 a.m.

ROSANA SKELTON  
Secretary of Senate

BRUCE CRIPPEN  
President of the Senate