

**SENATE JOURNAL
EIGHTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 21, 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 journals for the eighty-fifth and eighty-sixth legislative days, find the same to be correct.

Miller, Chairman

REPORTS OF STANDING COMMITTEES

Correctly printed: HB 15.

Correctly engrossed: HB 490.

Signed by the President at 4:30 a.m., April 20, 1999: SB 33, SB 164, SB 166, SB 195, SB 199, SB 220, SB 229, SB 265, SB 302, SB 333, SB 334, SB 430, SB 441, SB 454, SB 458, SB 460, SB 487, SB 492, SB 530, SJR 16, SJR 18.

Signed by the Secretary of Senate at 11:00 a.m., April 21, 1999: SB 33, SB 164, SB 166, SB 195, SB 199, SB 220, SB 229, SB 265, SB 302, SB 333, SB 334, SB 430, SB 441, SB 454, SB 458, SB 460, SB 487, SB 492, SB 530.

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 205, as amended by the House, passed as follows:

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

Total 46

Nays: Bishop, Keating, Miller, Toews.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 406, Free Conference Committee Report No. 3, adopted as follows:

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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

SB 482, as amended by the House, passed 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, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 49

Nays: Swysgood.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 15, as amended by the Senate, requiring 2/3 of each House, received the following vote:

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

Total 45

Nays: Bartlett, Christiaens, Lynch, McCarthy, Shea.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

HB 20, as amended by the Governor, 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, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Taylor, Tester, Thomas, Toews, Wells, Wilson, Mr. President.

Total 48

Nays: Keenan, Waterman.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 366, as amended by the Governor, 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 302, Conference Committee Report No. 1, adopted as follows:

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, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Roush, Shea, Sprague, Stang, Taylor, Tester, Thomas, Toews, Waterman, Wells, Wilson, Mr. President.

Total 45

Nays: Devlin, Keenan, Mohl, Nelson, Swysgood.

Total 5

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

HB 490, as amended by the Senate, concurred in as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Cocchiarella, Cole, DePratu, Eck, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Keating, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Shea, Sprague, Thomas, Wells, Mr. President.

Total 29

Nays: Bartlett, Christiaens, Crismore, Devlin, Doherty, Ellingson, Franklin, Halligan, Jabs, Jergeson, Keenan, Miller, Nelson, Roush, Stang, Swysgood, Taylor, Tester, Toews, Waterman, Wilson.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 533, Free Conference Committee Report No. 1, adopted as follows:

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

Total 41

Nays: Bishop, Devlin, Keenan, Mohl, Nelson, Swysgood, Taylor, Toews, Wells.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 540, Free Conference Committee Report No. 1, adopted as follows:

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

Total 32

Nays: Bartlett, Bishop, Christiaens, Cocchiarella, Cole, Doherty, Eck, Ellingson, Ellis, Halligan, Jabs, Jergeson, Nelson, Roush, Stang, Tester, Toews, Waterman.

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Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HJR 2, Free Conference Committee Report No. 1, adopted as follows:

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

Total 32

Nays: Bartlett, Christiaens, Cocchiarella, Doherty, Eck, Ellingson, Franklin, Halligan, Jergeson, Keating, McCarthy, Nelson, Roush, Shea, Stang, Tester, Waterman, Wilson.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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

Session No. 1

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

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

HB 90 - Governor's Amendments - Senator D. Toews moved Governor's amendments to HB 90 be concurred in. Motion carried unanimously.

HB 321 - Governor's Amendments - Senator V. Cocchiarella moved Governor's amendments to HB 321 be concurred in. Motion carried unanimously.

HB 310 - Governor's Amendments - Senator K. Miller moved Governor's amendments to HB 310 be concurred in. Motion carried unanimously.

Senator Harp moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Jergeson moved the Committee of the Whole report be adopted. Report adopted.

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REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on Senate Bill 184
Report No. 1, April 21, 1999

Mr. President and Mr. Speaker:

We, your **Free** Conference Committee met and considered **Senate Bill 184** (reference copy -- salmon) and recommend this **Free** Conference Committee report be adopted.

And, recommend that **Senate Bill 184** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 8 through line 10.

Strike: "PROVIDING" on line 8 through "LEVIES;" on line 10

2. Title, page 1, line 15.

Strike: ", UNDER CERTAIN CONDITIONS,"

3. Title, page 1, line 18.

Strike: "FOR AN APPROPRIATION"

Insert: "APPROPRIATIONS"

4. Title, page 1, line 22.

Following: "~~7-6-4405,~~"

Insert: "7-6-4401,"

5. Title, page 2, line 5.

Strike: "15-8-201,"

6. Title, page 2, line 8.

Strike: "20-6-413,"

7. Title, page 2, line 9.

Strike: "20-9-303, 20-9-308,"

Strike: "20-9-366,"

Strike: "20-9-438,"

8. Title, page 2, line 10.

Strike: "20-10-144, 20-10-145,"

9. Title, page 2, line 18.

Strike: "90-6-309,"

10. Title, page 2, line 20.

Following: "RETROACTIVE"

Insert: "A RETROACTIVE"

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11. Title, page 2, line 21.

Strike: "DATES"

Insert: "DATE"

12. Page 2, line 25 through page 3, line 3.

Strike: "(1)" on page 2, line 25 through "unit." on page 3, line 3

Insert: "(1) A governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually assessed in the prior year, even if that levy is greater than the levy established by law. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the value of newly taxable property.

(2) A governmental entity may apply the levy calculated pursuant to subsection (1) plus any additional levies authorized by the voters to all property in the governmental unit, including newly taxable property.

(3) For purposes of this section, newly taxable property includes:

(a) annexation of real property and improvements into a taxing unit;

(b) construction, expansion, or remodeling of improvements;

(c) transfer of property into a taxing unit;

(d) subdivision of real property;

(e) reclassification of property;

(f) transfer of property from tax-exempt to taxable status; and

(g) revaluations caused by expansion, addition, replacement, or remodeling of improvements."

Renumber: subsequent subsections

13. Page 3, line 18 through line 20.

Strike: the first "THE" on line 18 through "20-10-144, on line 20"

Insert: "school district general fund levies and the school district levy for tuition obligations established in 20-5-324(5)."

14. Page 3, line 23 through line 29.

Strike: subsections (5) and (6) in their entirety

Insert: "(6) In determining the maximum number of mills in subsection (1), the governmental entity shall take into account any change from the prior year in the amount of statutory reimbursements for changes in the property tax laws. It may increase the number of mills to account for a decrease in reimbursements and shall decrease the number of mills to fully account for any increase in reimbursements."

Renumber: subsequent subsections

15. Page 4, line 8 through page 5, line 4.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

16. Page 22.

Following: line 15

Insert: "**Section 23.** Section 7-6-4401, MCA, is amended to read:

"**7-6-4401. General taxing power of municipalities.** ~~The~~ Subject to [section 1], the city or town council has power to may levy and collect taxes for general and special purposes on all property within the ~~town or city or town~~ subject to taxation under the laws of the state."

Renumber: subsequent sections

17. Page 83, line 24.

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Strike: "0.167%"
Insert: "0.0835"

18. Page 83, line 25.
Strike: "3.126%"
Insert: "3.46 %"

19. Page 87, line 12.
Strike: "OF THE FIRST \$200,000 OR LESS"

20. Page 87, line 14.
Strike: "19%"
Insert: "16 %"

21. Page 87, line 15.
Strike: "27.5%"
Insert: "23 %"

22. Page 87, line 16.
Strike: "33%"
Insert: "27.5 %"

23. Page 87, line 17.
Strike: "38%"
Insert: "31 %"
Following: ".¹"
Strike: "and"

24. Page 87, line 18.
Strike: "OF THE FIRST \$200,000 OR LESS"

25. Page 87, line 23.
Following: "years"
Insert: "; and (bb) the percentage of valuation of land calculated pursuant to 15-7-111(4)"

26. Page 92, line 6.
Following: line 5
Insert: "(4) (a) If the value of an individual property is equal to or less than 75% of the appraised value of the improvements situated on the land, then the assessed value of the land is the land's appraised value as phased in under subsection (1) and the other provisions of subsection (1) do not apply.
(b) Subject to subsection (4)(c), if the value of an individual property is greater than 75% of the appraised value of the improvements situated on the land, then the value of the land must be determined as follows:
(i) the department shall calculate the average value of improvements in the state;
(ii) if the value of the improvements on an individual property is greater than the state average value of improvements, then the land is valued at 75% of the appraised value of the improvements situated on the land and the remainder of the land value is exempt from taxation; and
(iii) if the value of the improvements on an individual property is less than or equal to the state average value of improvements, then the land is valued at 75% of the appraised value of the improvements situated on the land and the remainder of the land value is exempt from taxation.

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- (c) The value of land upon which improvements are situated may not exceed the phased-in value of the land.
- (5) For purposes of subsection (4), the following definitions apply:
 - (a) "average value of improvements" means the statewide arithmetic mean of the appraised value of all improvements that have a market value in excess of \$7,500;
 - (b) "improvements" means residential dwellings and includes housetrailer, mobile homes, and manufactured homes;
 - (c) "land" includes contiguous parcels or lots under single ownership up to 5 acres."

27. Page 93, line 26.

Strike: "100%"

Insert: "the applicable percentage"

28. Page 93, line 27.

Following: "(z)"

Insert: ", "

Strike: "and"

Following: "(aa)"

Insert: ", and (1)(bb)"

29. Page 94, line 6 through line 30.

Strike: section 91 in its entirety

Renumber: subsequent sections

30. Page 108, line 16 through page 109, line 6.

Strike: section 105 in its entirety

Renumber: subsequent sections

31. Page 111, line 25.

Following: "(C)"

Insert: "anticipated"

Following: "taxes"

Insert: "and reimbursements for lost taxes"

32. Page 111, line 30.

Following: "other"

Insert: "anticipated"

33. Page 112, line 1.

Strike: "excluding"

Insert: "including any reimbursements for property tax reductions but not including"

34. Page 114, line 11 through page 116, line 25.

Strike: sections 114 and 115 in their entirety

Renumber: subsequent sections

35. Page 119, line 16 through page 120, line 17.

Strike: section 119 in its entirety

Renumber: subsequent sections

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36. Page 120, line 27 through page 121, line 23.

Strike: section 121 in its entirety

Renumber: subsequent sections

37. Page 127, line 28 through page 134, line 18.

Strike: section 122 through section 125 in their entirety

Renumber: subsequent sections

38. Page 173, line 20.

Insert: "(4) A tax authorized by a vote of the electorate, as provided in subsection (1)(a), may be levied for a period not to exceed 6 years."

39. Page 173, line 21 through page 174, line 13.

Strike: section 175 in its entirety

Renumber: subsequent sections

40. Page 176, line 23.

Following: "."

Insert: "The increase in taxable valuation allocated to the local government unit is considered newly taxable property in the recipient local government unit as provided in [section 1]."

41. Page 177, line 23.

Following: "174,"

Insert: "House Bill No. 420,"

Strike: "SENATE BILL NO. 260,"

42. Page 177, line 28.

Following: "GOVERNMENT,"

Insert: "school district,"

43. Page 177, lines 29 and 30.

Strike: "TAX INCREMENT FINANCING DISTRICTS,"

Strike: ", SCHOOL" on line 29 through second "LEVIES" on line 30

44. Page 178, line 6 through line 8.

Strike: ";" on line 6 through "61-3-504" on line 8

45. Page 178, line 11.

Following: "174,"

Insert: "House Bill No. 420,"

46. Page 178, line 12.

Strike: "SENATE BILL NO. 260,"

47. Page 178, line 13 through line 20.

Strike: subsections (3) and (4) in their entirety

Renumber: subsequent subsections

48. Page 178, line 25.

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Following: "(6)"

Insert: "(a)"

49. Page 179, line 1 through line 5.

Strike: "HOWEVER" on line 1 through "SO." on line 5

Insert: "Except as provided in subsections (4)(b), each tax increment financing district must receive the benefit of the reimbursement based on the loss to the incremental taxable value of the district.

(b) A tax increment financing district that consists of an industrial district created under 7-15-4299 may not receive any reimbursement under subsection (4)(a)."

50. Page 179, line 9.

Insert: "(6) (a) A charter form of local government that has a charter provision that prohibits an increase in the number of mills that may be levied to compensate for the loss of taxable value, as authorized in [section 1], is entitled to further reimbursement in addition to that computed under subsections (1) through (5) of this section.

(b) The amount of reimbursement is equal to the difference between the amount of the reimbursement calculated under subsections (1) through (5) and the amount of property tax imposed in tax year 1998. If the amount appropriated for the reimbursement under this subsection (6) is insufficient to fully fund all the jurisdictions entitled to reimbursement, the payments must be prorated to the jurisdictions. The payments must be made with the payments made under subsections (1) through (5)."

51. Page 179, line 12.

Strike: "13"

Insert: "10"

52. Page 179, line 16.

Following: "."

Insert: "and"

53. Page 179, line 17.

Following: line 16

Insert: "(c) the following members appointed by the governor:"

54. Page 179, line 17.

Strike: "(C) THREE MEMBERS APPOINTED BY THE MONTANA ASSOCIATION"

Insert: "(i) two representatives"

ReNUMBER: subsequent subsections

55. Page 179, line 18.

Strike: "MEMBERS APPOINTED BY THE MONTANA LEAGUE"

Insert: "representatives"

56. Page 179, line 19.

Strike: "MEMBER APPOINTED BY THE MONTANA COUNTY TREASURERS ASSOCIATION"

Insert: "county treasurer"

Following: "."

Insert: "and"

57. Page 179, lines 20 through 22.

Following: "GOVERNMENT" on line 20

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Strike: remainder of line 20 through "GOVERNOR" on line 22

58. Page 179, line 25.

Strike: "13"

Insert: "10"

59. Page 180, line 1.

Following: ". "

Insert: "and"

60. Page 180, line 2.

Following: line 1

Insert: "(d) the following members appointed by the governor:"

61. Page 180, line 2.

Strike: "(D)"

Insert: "(i)"

Strike: "APPOINTED BY THE MONTANA LEAGUE OF"

Insert: "representing"

Renumber: subsequent subsections

62. Page 180, line 3.

Strike: "APPOINTED BY THE MONTANA ASSOCIATION OF"

Insert: "representing"

63. Page 180, line 5.

Following: ". "

Insert: "and"

64. Page 180, lines 6 through 8.

Strike: "MEMBER REPRESENTING THE MONTANA ASSOCIATION OF CLERKS" on line 6

Insert: "clerk"

Following: "COURT" on line 6

Strike: remainder of line 6 through "GOVERNOR" on line 8

65. Page 181, line 12.

Strike: "USE"

Insert: "request assistance from or the use of"

66. Page 181, line 14.

Following: "(8)"

Strike: "MEMBERS"

Insert: "(a) Except as provided in subsection (8)(b), members"

Following: "2-18-501"

Insert: "through 2-18-503"

67. Page 181, line 16.

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Following: line 15

Insert: "(b) Legislators serving on the committees must be reimbursed and compensated as provided for in 5-2-302 for actual and necessary expenses incurred in attending meetings or conducting committee business."

68. Page 181, line 18 and line 23.

Strike: "180"

Insert: "168"

69. Page 181, line 22.

Strike: "\$200,000"

Insert: "\$55,000"

70. Page 181, line 25.

Strike: "\$29,020,607"

Insert: "\$1,980,000"

71. Page 181, line 27.

Strike: "\$7,512,257"

Insert: "\$2,229,934"

72. Page 181, line 28.

Strike: the first "THE" through "2001"

Insert: "state reimbursements for motor vehicle fee reductions under 61-3-509"

73. Page 181, lines 29 and 30.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

74. Page 182, line 1.

Strike: "APPROPRIATED"

Insert: "transferred"

75. Page 182, lines 4 through 6.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

76. Page 182, line 7.

Strike: "\$8,563,819"

Insert: "\$12,900,000"

77. Page 182, line 8.

Strike: "\$29,672,370"

Insert: "\$54,934,392"

Strike: "ADMINISTRATION"

Insert: "revenue"

78. Page 182, line 9.

Strike: "179"

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Insert: "167(1) through (5)"

79. Page 182, line 10.

Insert: "(7) There is appropriated from the general fund \$1.5 million for the biennium ending June 30, 2001, to the department of revenue for the costs of administration.

(8) There is appropriated from the general fund \$2.15 million for the biennium ending June 30, 2001, to the department of revenue for the reimbursements calculated in [section 167(6)].

(9) There is appropriated from the general fund \$600,000 to the department of revenue for the biennium ending June 30, 2001, for reimbursement to tax increment financing districts created pursuant to 7-15-4299.

(10) The governor shall include the sum of the reimbursements in this section in the present law base budget prepared for the 57th legislative session."

80. Page 182, line 21.

Strike: ", SENATE BILL NO. 260,"

81. Page 182, line 23 through page 183, line 18.

Strike: subsection (2) in its entirety

Insert: "(2) If Senate Bill No. 260 and [this act] are both passed and approved, then [section 3] of Senate Bill No. 260, amending 61-3-509, must read as follows:

"61-3-509. Disposition of taxes. (1) Except as provided in subsection (2), the county treasurer shall, after deducting the district court fee, credit all taxes on motor vehicles and fees in lieu of tax on motorcycles, quadricycles, motor homes, travel trailers, campers, trailers, pole trailers, semitrailers, buses, trucks having a manufacturer's rated capacity of more than 1 ton, and truck tractors collected under 61-3-504, 61-3-521, 61-3-527, 61-3-529, and 61-3-537, to a motor vehicle suspense fund. At some time between March 1 and March 10 of each year and every 60 days after that date, the county treasurer shall distribute the money in the motor vehicle suspense fund. Except for taxes collected under 61-3-504, the county treasurer shall distribute the money in the fund in the relative proportions required by the levies for state, county, school district, and municipal purposes in the same manner as personal property taxes are distributed. For money in the fund collected under 61-3-504, the county treasurer shall disregard the statewide mills levied for the university system and the mills levied for state equalization aid under 20-9-360 in determining distribution proportions of the money and may not distribute money from 61-3-504 to the state for either levy. If the distribution of money collected under 61-3-504 to a school district general fund results in a lower revenue than the district received in fiscal year 1999 and the district has, for all years after fiscal year 1999, received less revenue than in fiscal year 1999, then the district general fund is entitled to state reimbursement for the amount of the difference between the fiscal year 1999 revenue and the prior school fiscal year revenue under 61-3-504. Prior to January 31, the office of public instruction shall distribute to each school district an amount equal to the state reimbursement for the prior school year.

(2) The county treasurer shall deduct as a district court fee ~~7%~~ 10% of the amount of the ~~2%~~ tax collected on light vehicles under 61-3-504(1). The county treasurer shall credit the fee for district courts to a separate suspense account and shall forward the amount in the account to the state treasurer at the time that the county treasurer distributes money from the motor vehicle suspense fund. The state treasurer shall credit amounts received under this subsection to the state special revenue fund to be used for purposes of state funding of district court expenses as provided in 3-5-901."

Renumber: subsequent subsections

82. Page 183, line 19.

Strike: "HOUSE BILL NO. 90,"

Following: "260"

Strike: " 1 "

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83. Page 183, line 20.

Following: "THEN"

Insert: "section 20-9-141 in House Bill No. 90 is void and"

84. Page 184, line 6.

Following: "~~following:~~"

Insert: "amounts received in the last fiscal year for which revenue reporting was required for each of the following:
(A) revenue from taxes and fees imposed under 23-2-517, 23-2-803, 61-3-521, 61-3-527, 61-3-529, and 67-3-204;

(B) interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4);
and

(C) any other revenue received during the school fiscal year that may be used to finance the general fund, excluding any guaranteed tax base aid;"

85. Page 184, line 7.

Following: "~~(A)~~"

Insert: "(iii)"

Renumber: subsequent subsections

86. Page 184, line 10.

Strike: "23-2-517, 23-2-803,"

Following: "61-3-504"

Strike: ", "

87. Page 184, line 11.

Strike: "61-3-521, 61-3-527, 61-3-529,"

Insert: "and"

Strike: "and 67-3-204"

Insert: "which for the fiscal year beginning July 1, 2000, may not be less than 75% of the previous year's revenue from these sources"

88. Page 184, line 13.

Following: "15-23-703"

Insert: "and property tax reimbursements under 15-1-111, 15-1-112, and [section 167]"

Following: ";"

Insert: "and"

89. Page 184, lines 14 and 15.

Strike: subsection (vi) in its entirety

Renumber: subsequent subsections

90. Page 184, line 17 through line 19.

Strike: ";" on line 17 through "aid" on line 19

91. Page 185, line 13.

Following: "15-23-703"

Insert: "and property tax reimbursements under 15-1-111, 15-1-112, and [section 167]"

92. Page 185.

Following: line 13

Insert: "(4) If Senate Bill No. 454 is passed and approved, but House Bill No. 622 is not passed and approved, then

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Senate Bill No. 454 [section 2 of the reference copy] must read as follows:

"NEW SECTION. Section 2. **Review of state payments in lieu of taxes.** The interim local government funding and structure committee created under [section 168 of the reference copy of Senate Bill No. 184] shall include in its study of funding local government a review of state payments in lieu of taxes to local governments from grazing, agricultural, and forest activities that are self-supporting or that compete with private enterprise."

(5) If House Bill No. 622 and [this act] are both passed and approved and both bills commission local government and court funding and structure studies that are substantially the same, then House Bill No. 622 is void."

93. Page 185, line 17.

Insert: "**NEW SECTION. Section 172. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

94. Page 185, line 18.

Strike: "(1)"

95. Page 185, line 21 through line 24.

Strike: subsections (2) and (3) in their entirety

96. Page 185, lines 26 and 27.

Strike: "**DATES**" on line 26

Insert: "**date**"

Strike: "(1)" on line 26 through "**[THIS]**"

Insert: "**[This**"

97. Page 185, line 28 and 29.

Strike: subsections (2) and (3) in their entirety

98. Page 186, lines 1 through 3.

Strike: "**APPLICABILITY**" on line 1

Insert: "Retroactive applicability"

Strike: "(1)" on line 1 through "]" on line 3

Insert: "[Sections 1 through 164]"

99. Page 186, line 5.

Strike: subsection (2) in its entirety

100. Page 186, line 7.

Following: "**TERMINATION.**"

Strike: remainder of line 7 in its entirety

Insert: "[Section 167] terminates December 31, 2001."

For the Senate:

Grosfield, Chairman
Eck
Harp

For the House:

Story, Chairman
Harrington
Hibbard

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MOTIONS

Majority Leader Harp moved that the Senate stand in recess until the hour of 10:30 a.m. this legislative day. Motion carried.

Senate recessed at 8:36 a.m.

Senate reconvened at 10:31 a.m.

Roll Call. All members present. Quorum present.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on House Bill 2
Report No. 1, April 21, 1999

Mr. Speaker and Mr. President:

We, your **Free** Conference Committee met and considered **House Bill 2** (reference copy -- salmon) and recommend this **Free** Conference Committee report be adopted.

And, recommend that **House Bill 2** (reference copy -- salmon) be amended as follows:

1. Page BP-2, line 7.

Following: "THE LEGISLATIVE FINANCE COMMITTEE."

Insert: "The provisions of this section do not apply to the Montana university system."

2. Page BP-2, line 16.

Following: "PROVIDE"

Insert: "to the legislature no later than November 15, 2000"

Following: "AGENCY"

Strike: " "

Insert: "and"

Following: the third " "

Strike: "AND REPORTING LEVEL."

3. Page BP-2, line 17.

Strike: "SUMMARY"

Following: "REPORT"

Strike: "OF ALL"

Insert: "showing"

Following: "TECHNOLOGY-RELATED"

Strike: "FUNDING REQUESTS IN"

Insert: "actual and adjusted expenditures in fiscal year 2000 and budgeted amounts for each year of"

4. Page BP-2, line 17 through page BP-3, line 3.

Following: "BIENNIUM" on line 17

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Strike: remainder of line 17 through "ABOVE" on page BP-3, line 3

Following: " "

Insert: "The expenditure categories included must be by mutual agreement with the legislative fiscal analyst and the legislative finance committee through the state information technology study required under [section 12]. The office of budget and program planning shall present information that allows a reasonable determination of associated funding for each agency, program, and reporting level or equivalent report component."

5. Page BP-3, line 4 through line 6.

Strike: section 10 in its entirety

Renumber: subsequent sections

6. Page BP-3, line 15.

Following: the third " "

Insert: "(1)"

7. Page BP-3, line 16.

Following: the second "TECHNOLOGY"

Strike: "THAT"

Insert: ". The study"

8. Page BP-3, line 18.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

9. Page BP-3, following line 25.

Insert: "(2) The study should include recommendations to the office of budget and program planning for presentation of information technology budget information that enables the legislature to make policy decisions that result in establishment of and adjustment in computer-related expenditures by agency and program and within fund types. The office of budget and program planning shall present this information to the legislature in the form recommended by the legislative finance committee.

(3) The information described in [section 9] and in subsection (2) of this section must be reviewed by the joint appropriations subcommittee on long-range planning, or other legislative committee as designated, composed of members of the house appropriations and senate finance and claims committees formed specifically to address statewide computer issues."

10. Page BP-4, line 2.

Following: line 1

Insert: "NEW SECTION. Section 14. Tobacco settlement proceeds. Up to \$30 million received by the state of Montana from any judgment, settlement, or fine received as a result of a criminal or civil claim against a tobacco company related to the production, marketing, or use of tobacco products that is in excess of the amounts appropriated by the 56th legislature must be set aside for revenue stabilization in the general fund. The amount is classified as unreserved, designated general fund balance."

Renumber: subsequent sections

11. Page A-1, following line 14.

Insert: "b. Legislative Finance Committee Interim Studies (Restricted/Biennial/OTO)
35,000" [general fund fiscal year 2000]

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12. Page A-3.

Following: line 1

Insert: "e. HB 41 - Extend Surcharge for Court Information Technology
995,676 [state special revenue fiscal year 2000]
995,676" [state special revenue fiscal year 2001]

13. Page A-3.

Following: line 9

Insert: "a. SB 273 - Create 22nd Judicial District/Add Judge to 11th and 20th Districts
123,000 [general fund fiscal year 2000]
287,500 [general fund fiscal year 2001]
b. HB 244 - Pay for Retired Judges Called to Service 26,946 [general fund fiscal year 2000]
26,946" [general fund fiscal year 2001]

14. Page A-5, following line 2.

Insert: "b. Vacancy Savings and Emergency Contingency Account (Restricted/Biennial/OTO)
1,000,000" [general fund fiscal year 2000]

15. Page A-5, following line 10.

Insert: "a. SB 534 - Mental Health Managed Care Ombudsman (Restricted)
58,926 [general fund fiscal year 2000]
29,463 [federal special revenue fiscal year 2000]
55,593 [general fund fiscal year 2001]
27,796" [federal special revenue fiscal year 2001]

16. Page A-5, following line 17.

Insert: "Item 4b is an emergency and contingency biennial account to be managed by the office of budget and program planning to respond to contingencies related to emergencies and public safety. Requests for use of this account must be analyzed by the budget office and approved by the governor. Approved expenditures must be reported to the legislative finance committee.

Item 8a is contingent upon passage and approval of Senate Bill No. 534. Funds in item 8a may be used only to fund the mental health managed care ombudsman function created in Senate Bill No. 534."

17. Page A-6, line 7.

Strike: "369,975 78,545 368,830 77,917"
Insert: "183,128 265,392 0 446,747"

18. Page A-6, line 9.

Strike: "3,718" [general fund]
Insert: "3,718" [state special revenue]

19. Page A-6, line 13.

Strike: "1,490,976 919,552 1,490,992 895,184"
Insert: " 745,488 1,665,040 0 2,386,176"

20. Page A-6, line 15.

Strike: "16,360" [general fund]

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Insert: "16,360" [state special revenue]

21. Page A-6, following line 17.

Insert: "c. HB 536 - Establish Fixed Annual Assessment for Montana Comprehensive Health Association (Restricted/Biennial)
2,000,000" [general fund fiscal year 2000]

22. Page A-6, following line 23.

Insert: "c. SB 128 - Make the Montana Living Trust Act Permanent
18,475 [state special revenue fiscal year 2000]
24,026" [state special revenue fiscal year 2001]

23. Page A-7, following line 3.

Insert: "Based upon passage and approval of Senate Bill No. 132, the state auditor's office shall transfer \$399,814 at the end of fiscal year 2000 and \$563,567 at the end of fiscal year 2001 to the general fund from the insurance fee state special revenue fund for the purposes of maintaining the general fund balance.
Item 2c is contingent upon passage and approval of House Bill No. 536."

24. Page A-8, following line 3.

Insert: "g. SB 401 - Agricultural Use Fuel Tax Refunds (OTO)
14,105 24,199" [state special revenue fiscal year 2000 and 2001]

25. Page A-9, following line 4.

Insert: "e. SB 333 - Maintenance for Paved Secondaries
2,980,616 [state special revenue fiscal year 2000]
9,609,085 [state special revenue fiscal year 2001]
1,352,914" [federal special revenue fiscal year 2001]

26. Page A-9, following line 12.

Insert: "b. SB 205 - Aviation Gasoline License Tax Increase
295,400 295,400" [state special revenue fiscal year 2000 and 2001]

27. Page A-10, following line 1.

Insert: "g. Rail Transportation Technical Assistance (Restricted/Biennial/OTO)
100,000" [state special revenue fiscal year 2000]

28. Page A-10, following line 13.

Insert: "Item 1g is contingent upon passage and approval of Senate Bill No. 401.
Item 3e is contingent upon passage and approval of Senate Bill No. 333.
Item 5b is contingent upon passage and approval of Senate Bill No. 205."

29. Page A-11, line 7.

Strike: "2,354,959 2,377,657" [general fund fiscal year 2000 and 2001]

Insert: "2,355,709 2,378,407" [general fund fiscal year 2000 and 2001]

30. Page A-11, following line 17.

| | | | |
|---|---------|----------|----------------|
| Insert: "a. HB 128 - Revise Taxation of Telecommunications | 76,923 | 64,673 | [general fund] |
| b. HB 337 - Revise Universal System | 22,256 | 19,208 | [general fund] |
| c. SB 270 - County Charges for Office Space | 233,867 | 326,410" | [general fund] |

31. Page A-11, following line 22.

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Insert: "Item 4a is contingent upon passage and approval of House Bill No. 128. If House Bill No. 15 is passed and approved, the appropriation contained in item 4a is one-time only.

Item 4b is contingent upon passage and approval of House Bill No. 337.

Item 4c is contingent upon passage and approval of Senate Bill No. 270."

32. Page A-12.

Following: line 2

Insert: "Because of the elimination of the statutory appropriation of tobacco education fees and the de-earmarking of the fees to the general fund by House Bill No. 69, item 1 has been increased by \$750 in general fund money in fiscal year 2000 and by \$750 in general fund money in fiscal year 2001. If House Bill No. 69 is not passed and approved in a form that eliminates the statutory appropriation and de-earmarks the fees, then the general fund amounts in item 1 are reduced by \$750 in fiscal year 2000 and by \$750 in fiscal year 2001."

33. Page A-12, following line 12.

Insert: "b. Actuarial Study for Police Retirement Fund (Restricted/Biennial)
6,000" [general fund fiscal year 2000]

34. Page A-12, line 22.

Strike: "388,358 415,251" [general fund amounts]

Insert: "651,322 669,103" [general fund amounts]

35. Page A-13.

Strike: line 12 through line 14 in their entirety

36. Page B-1.

Following: line 13

Insert: "c. HB 69 - Low-Income Energy Assistance and Home Weatherization (Restricted/OTO)
299,991 299,991 [federal special revenue fiscal year 2000 and 2001]

d. Montana Food Bank Processing Project (Restricted)
40,000 [general fund fiscal year 2000] 40,000" [general fund fiscal year
2001]

37. Page B-1, line 15.

Strike: "3,056,787" [state special revenue fiscal year 2000]

Insert: "3,039,346" [state special revenue fiscal year 2000]

Strike: "17,059,834" [federal special revenue fiscal year 2000]

Insert: "16,990,374" [federal special revenue fiscal year 2000]

Strike: "3,085,531" [state special revenue fiscal year 2001]

Insert: "3,067,555" [state special revenue fiscal year 2001]

Strike: "17,557,732" [federal special revenue fiscal year 2001]

Insert: "17,486,836" [federal special revenue fiscal year 2001]

38. Page B-1, line 17.

Strike: "18,892,894" [general fund fiscal year 2000]

Insert: "18,774,309" [general fund fiscal year 2000]

Strike: "19,395,212" [general fund fiscal year 2001]

Insert: "19,274,112" [general fund fiscal year 2001]

39. Page B-1, line 20.

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Strike: "148,936" [general fund fiscal year 2000]
Insert: "98,961" [general fund fiscal year 2000]
Strike: "20,390" [state special revenue fiscal year 2000]
Insert: "13,548" [state special revenue fiscal year 2000]
Strike: "87,088" [federal special revenue fiscal year 2000]
Insert: "57,866" [federal special revenue fiscal year 2000]
Strike: "308,413" [general fund fiscal year 2001]
Insert: "204,926" [general fund fiscal year 2001]
Strike: "41,596" [state special revenue fiscal year 2001]
Insert: "27,639" [state special revenue fiscal year 2001]
Strike: "180,290" [federal special revenue fiscal year 2001]
Insert: "119,794" [federal special revenue fiscal year 2001]

40. Page B-1.

Following: line 22

Insert: "c. SB 258 - Revise Domestic Abuse Laws

148,123 [state special revenue funds fiscal year 2000]

148,123" [state special revenue funds fiscal year 2001]

41. Page B-2, line 9.

Strike: "253,215" [general fund fiscal year 2000]
Insert: "168,810" [general fund fiscal year 2000]
Strike: "656,322" [federal special revenue fiscal year 2000]
Insert: "437,548" [federal special revenue fiscal year 2000]
Strike: "500,595" [general fund fiscal year 2001]
Insert: "333,373" [general fund fiscal year 2001]
Strike: "1,337,041" [federal special revenue fiscal year 2001]
Insert: "891,361" [federal special revenue fiscal year 2001]

42. Page B-2, following line 15.

Insert: "f. SB 81 - Establish Children's Health Insurance Program (CHIP)

15,116,017 [federal special revenue fiscal year 2000]

15,248,042 [federal special revenue fiscal year 2001]

g. Establish Tobacco Prevention and Control Program

3,500,000 [general fund fiscal year 2000]

3,500,000" [general fund fiscal year 2001]

43. Page B-3, line 5.

Strike: "457,421" [general fund fiscal year 2000]
Insert: "303,934" [general fund fiscal year 2000]
Strike: "368,797" [federal special revenue fiscal year 2000]
Insert: "245,048" [federal special revenue fiscal year 2000]
Strike: "919,894" [general fund fiscal year 2001]
Insert: "611,225" [general fund fiscal year 2001]
Strike: "749,066" [federal special revenue fiscal year 2001]
Insert: "497,718" [federal special revenue fiscal year 2001]

44. Page B-3, line 23.

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Strike: "399,165" [general fund fiscal year 2000]
Insert: "265,226" [general fund fiscal year 2000]
Strike: "1,034,614" [federal special revenue fiscal year 2000]
Insert: "687,451" [federal special revenue fiscal year 2000]
Strike: "788,391" [general fund fiscal year 2001]
Insert: "523,848" [general fund fiscal year 2001]
Strike: "2,107,974" [federal special revenue fiscal year 2001]
Insert: "1,400,647" [federal special revenue fiscal year 2001]

45. Page B-4, line 1.

Strike: "60,792" [general fund fiscal year 2000]
Insert: "40,528" [general fund fiscal year 2000]
Strike: "157,572" [federal special revenue fiscal year 2000]
Insert: "105,048" [federal special revenue fiscal year 2000]
Strike: "119,472" [general fund fiscal year 2001]
Insert: "79,648" [general fund fiscal year 2001]
Strike: "319,442" [federal special revenue fiscal year 2001]
Insert: "212,961" [federal special revenue fiscal year 2001]

46. Page B-4, line 4.

Strike: "81,267" [general fund fiscal year 2000]
Insert: "54,178" [general fund fiscal year 2000]
Strike: "163,346" [general fund fiscal year 2001]
Insert: "108,897" [general fund fiscal year 2001]

47. Page B-4, line 7.

Strike: "84,813" [general fund fiscal year 2000]
Insert: "56,542" [general fund fiscal year 2000]
Strike: "219,833" [federal special revenue fiscal year 2000]
Insert: "146,555" [federal special revenue fiscal year 2000]
Strike: "181,229" [general fund fiscal year 2001]
Insert: "120,819" [general fund fiscal year 2001]

Strike: "484,565" [federal special revenue fiscal year 2001]
Insert: "323,043" [federal special revenue fiscal year 2001]

48. Page B-4, following line 10.

Strike: "6,818,655" [general fund fiscal year 2000]
6,646,924 [federal special revenue fiscal year 2000]
7,085,943 [general fund fiscal year 2001]
6,698,042" [federal special revenue fiscal year 2001]
Insert: "6,760,479" [general fund fiscal year 2000]
6,617,461 [federal special revenue fiscal year 2000]
7,031,100 [general fund fiscal year 2001]
6,670,246" [federal special revenue fiscal year 2001]

49. Page B-4, line 15.

Strike: "2,721" [general fund fiscal year 2000]

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Insert: "1,808" [general fund fiscal year 2000]
Strike: "2,019" [state special revenue fiscal year 2000]
Insert: "1,342" [state special revenue fiscal year 2000]
Strike: "6,132" [federal special revenue fiscal year 2000]
Insert: "4,074" [federal special revenue fiscal year 2000]
Strike: "5,649" [general fund fiscal year 2001]
Insert: "3,634" [general fund fiscal year 2001]
Strike: "2,071" [state special revenue fiscal year 2001]
Insert: "1,376" [state special revenue fiscal year 2001]
Strike: "7,334" [federal special revenue fiscal year 2001]
Insert: "4,873" [federal special revenue fiscal year 2001]

50. Page B-4.

Strike: lines 16 and 17 in their entirety.

51. Page B-4, line 18.

Strike: "d"

Insert: "c"

Following: ". "

Strike: "Regional"

52. Page B-4.

Following: line 19

Insert: "d. Medicaid Matching Funds - Community CD Pilot Programs (Restricted/Biennial)

150,000 [federal special revenue fiscal year 2000]

150,000" [federal special revenue fiscal year 2001]

53. Page B-4, line 19.

Strike: "25,879,298" [general fund fiscal year 2000]
11,247,414 [state special revenue fiscal year 2000]
24,385,374" [federal special revenue fiscal year 2000]

Insert: "38,596,391" [general fund fiscal year 2000]
16,787,185 [state special revenue fiscal year 2000]
36,396,080 [federal special revenue fiscal year 2000]

54. Page B-5.

Strike: line 1 in its entirety.

55. Page B-6, line 10.

Following: "6, "

Insert: "and"

Following: "8"

Strike: ", and 10"

Following: "by"

Strike: "\$716,431"

Insert: "\$304,433"

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56. Page B-7, line 9.

Following: "every"

Strike: "6"

Insert: "12"

57. Page B-8.

Following: line 8

Insert: "Contingent upon passage and approval of House Bill No. 551, item 1 must be reduced in proportion to the number of Native American tribes authorized to operate their own TANF program, up to \$6,706,697 in federal special revenue funds in both fiscal year 2000 and fiscal year 2001.

Because of the elimination of the statutory appropriation for low-income energy assistance and home weatherization in House Bill No. 69, item 1c appropriates \$299,991 in federal special revenue funds in fiscal year 2000 and \$299,991 in federal special revenue funds in fiscal year 2001. If House Bill No. 69 is not passed and approved in a form that eliminates the statutory appropriation, then the federal special revenue appropriations in item 1c are void.

Item 1d is for the processing of donated food to be used by the Montana food bank network."

58. Page B-9.

Following: line 16

Insert: "The goal for the number of TANF cash assistance cases is 4,900 in fiscal year 2000 and 4,400 in fiscal year 2001. To meet these goals, the department shall:

(1) assist a minimum of two tribes in leaving the state's FAIM welfare reform program and assist them in running their own welfare reform program;

(2) assist TANF clients in obtaining better paying jobs in highway construction or equivalent paying jobs;
and

(3) move both tribal and nontribal FAIM clients that meet social security disability and SSI criteria from FAIM to SSI."

59. Page B-11.

Following: line 1

Insert: "Item 2 includes a reduction of \$16,051 in general fund money in fiscal year 2000, a reduction of \$3,159 in state special revenue funds in fiscal year 2000, a reduction of \$9,224 in federal special revenue funds in fiscal year 2000, a reduction of \$19,261 in general fund money in fiscal year 2001, a reduction of \$3,791 in state special revenue funds in fiscal year 2001, and a reduction of \$11,069 in federal special revenue funds in fiscal year 2001. These reductions are contingent upon the passage and approval of House Bill No. 180.

Item 2 has been reduced by \$352,903 in total funds in the 2001 biennium, including \$204,373 in general fund money, to reflect a reduction in the personal services budget of this division. It is the intent of the legislature that position number 92303 be eliminated from the department because 5 of the 6 FTE in position 92303 are also funded under position number 99972501.

Item 2c is contingent upon passage and approval of Senate Bill No. 258."

60. Page B-11, line 9 and 10.

Following: "CHARGE" on line 9

Strike: "ENFORCEMENT AND"

Insert: "the"

Following: "HANDLING" on line 9

Strike: remainder of line 9 through line 10 in their entirety

Insert: "fee provided for under 40-5-210(3)."

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61. Page B-12, following line 12.

Insert: "Item 5f is contingent upon passage and approval of Senate Bill No. 81."

62. Page B-13.

Following: "." on line 3

Insert: "The department shall use all of the \$2.3 million in general fund money that the department is directed to transfer from medicaid appropriations in the department to the disability services division before using any transferred TANF funds."

63. Page B-13, line 18 through line 19.

Following: the first "THE"

Insert: "disability services division is directed to develop a proposal by June of 2000 to be reviewed by the"

Strike: "IS REQUESTED TO UNDERTAKE A STUDY TO DEVELOP A PROPOSAL FOR THE 2001 LEGISLATURE"

64. Page B-14.

Following: line 9

Insert: "Because of the elimination of the statutory appropriation of tobacco education fees and the de-earmarking of the fees to the general fund by House Bill No. 69, item 10 has been increased by \$750 in general fund money in fiscal year 2000 and by \$750 in general fund money in fiscal year 2001. If House Bill No. 69 is not passed and approved in a form that eliminates the statutory appropriation and de-earmarks the fees, then the general fund amounts in item 10 are reduced by \$750 in fiscal year 2000 and by \$750 in fiscal year 2001."

65. Page B-14, line 12.

Strike: "10d"

Insert: "10c"

Following: "used"

Strike: "only"

Following: "the"

Strike: "regional"

Following: "for in"

Strike: "[LC 1913]"

66. Page B-14, line 14.

Following: "PROGRAM"

Insert: "Senate Bill No. 534, contingent upon passage and approval of Senate Bill No. 534"

67. Page B-14.

Following: line 14

Insert: "If Senate Bill No. 534 is not passed and approved, item 10 is increased by \$58,926 in general fund money and \$29,463 in federal special revenue funds in fiscal year 2000 and \$55,593 in general fund money and \$27,796 in federal special revenue funds in fiscal year 2001.

Funds in item 10d must be used to fund pilot community outpatient chemical dependency medicaid programs. Funds in item 10d may not be used for another purpose or transferred to other programs. The department shall provide an evaluation and documentation of outcomes of the pilot programs to the legislative finance committee no later than September 1, 2000."

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68. Page B-14, lines 15 through 17.

Following: the first "SHALL"

Insert: "incrementally"

Following: "IMPLEMENT"

Strike: the remainder of line 15 through "CARE" on line 17

Insert: "Senate Bill No. 534, contingent upon passage and approval of Senate Bill No. 534"

69. Page B-14, line 25.

Following: "INTO THE"

Strike: "REGIONAL"

70. Page B-15, line 4.

Following: "ON"

Strike: "THE"

Insert: "any"

Following: "FOR THE"

Strike: "REGIONAL"

71. Page B-15, line 5.

Following: "TO THE"

Strike: "REGIONAL"

Following: "NEW"

Strike: "REGIONAL"

Following: "OF THE"

Strike: "REGIONAL"

72. Page B-15, line 7.

Following: "ON THE"

Strike: the remainder of line 7

Insert: "implementation of Senate Bill No. 534, contingent upon passage and approval of Senate Bill No. 534."

73. Page B-15, line 8.

Following: "OF THE"

Strike: the remainder of line 8

74. Page B-15, line 9.

Following: "OF"

Strike: the remainder of line 9

Insert: "Senate Bill No. 534, contingent upon passage and approval of Senate Bill No. 534."

75. Page B-15, line 10.

Following: "MORE"

Insert: "general fund money"

76. Page C-1.

Following: line 16

Insert: "g. SB 59 - Hunting License Preference Systems
89,885 373,000" [state special revenue fiscal year 2000 and 2001]

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77. Page C-1.

Following: line 25

Insert: "d. SB 171 - Address Property Boundary Identification Problems (OTO)
45,500 38,000 [state special revenue fiscal year 2000 and 2001]
e. SB 334 - Analyze Net Client Hunter Use for Board of Outfitters
83,490 83,034 [state special revenue fiscal year 2000 and 2001]
f. SB 338 - Increased Upland Game Bird Fees for Block Management
522,500 522,500" [state special revenue fiscal 2000 and 2001]

78. Page C-2, following line 8

Insert: "d. Echo Lake Fish Planting (OTO)
30,000 30,000" [state special revenue fiscal year 2000 and 2001]

79. Page C-2, line 10.

Strike: "127,840 123,882" [general fund fiscal year 2000 and 2001]
Insert: "132,688 128,730" [general fund fiscal year 2000 and 2001]

80. Page C-2, line 12.

Strike: "5,699,614 5,653,314" [state special revenue fiscal year 2000 and 2001]
Insert: "5,694,766 5,648,466" [state special revenue fiscal year 2000 and 2001]

81. Page C-2.

Following: line 19

Insert: "c. Alternative Livestock Programmatic Environmental Impact Statement (Biennial/OTO)
134,000" [state special revenue fiscal year 2000]

82. Page C-3.

Following: line 6

Insert: "f. HB 478 - Analyze Impacts of Limiting Nonresident Upland Game Bird Licenses (Biennial/OTO)
50,000 50,000" [state special revenue and federal revenue fiscal year 2000]

83. Page C-4.

Following: line 4

Insert: "e. SB 381 - Remedial Hunter Education Program
60,000 60,000" [state special revenue fiscal year 2000 and 2001]

84. Page C-4.

Following: line 23

Insert: "If Senate Bill No. 59 is not passed and approved, the appropriations in item 1g are void."

85. Page C-4.

Following: line 25

Insert: "If Senate Bill No. 334 is not passed and approved, the appropriations in item 2e are void.
If Senate Bill No. 338 is not passed and approved in a form increasing upland game bird license fees and allocating the increase to the block management program, then the appropriations in item 2f are void."

86. Page C-5.

Following: line 3

Insert: "Because of the de-earmarking of recreational use fines by House Bill No. 69, item 4 has been reduced by \$4,848 in state special revenue funds in fiscal year 2000 and by \$4,848 in state special revenue funds in fiscal year 2001 and general fund amounts have been increased by the same amounts. If House Bill No. 69 is not passed and

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approved in a form that de-earmarks the state special revenue funds, then the general fund amounts in item 4 are reduced by \$4,848 in fiscal year 2000 and by \$4,848 in fiscal year 2001 and the state special revenue amounts are increased by the same amounts.

If House Bill No. 478 is not passed and approved, then the appropriations in item 5f are void."

87. Page C-5.

Following: line 9

Insert: "Item 7e is contingent upon passage and approval of Senate Bill No. 381."

88. Page C-5, line 19.

Strike: "1,812,169 1,054,339 1,805,219 1,052,021"

[general fund and state special revenue fiscal year 2000 and 2001]

Insert: "1,887,148 979,360 1,880,188 977,052"

[general fund and state special revenue fiscal year 2000 and 2001]

89. Page C-7.

Following: line 25

Insert: "o. SB 166 - Payment of Certain Abandoned Vehicle Removal Charges
207,822 205,022" [state special revenue fiscal year 2000 and 2001]

90. Page C-8.

Following: line 13

Insert: "Because of the de-earmarking of alternative energy revenue by House Bill No. 69, item 2 has been reduced by \$74,979 in state special revenue funds in fiscal year 2000 and by \$74,969 in state special revenue funds in fiscal year 2001 and general fund amounts have been increased by the same amounts. If House Bill No. 69 is not passed and approved in a form that de-earmarks the state special revenue funds, then the general fund amounts in item 2 are reduced by \$74,979 in fiscal year 2000 and by \$74,969 in fiscal year 2001 and the state special revenue amounts are increased by the same amounts."

91. Page C-10.

Following: line 2

Insert: "b. Alternative Livestock Programmatic Environmental Impact Statement (Biennial/OTO)
67,000" [state special revenue fiscal year 2000]

92. Page C-11, line 12.

Strike: "0 7,415,646 0 7,428,495" [general fund and state special revenue fiscal year 2000 and 2001]

Insert: "4,848 7,410,798 4,848 7,423,647" [general fund and state special revenue fiscal year 2000 and 2001]

93. Page C-11, line 16.

Strike: "1,782,580 182,475 1,785,942 175,724"

[general fund and state special revenue fiscal year 2000 and 2001]

Insert: "1,784,716 180,339 1,787,999 173,667"

[general fund and state special revenue fiscal year 2000 and 2001]

94. Page C-12, line 7.

Strike: "GRAZING DISTRICT ADVISORY COMMITTEE"

Insert: "HB 444 - Montana Grass Conservation Commission"

95. Page C-12, line 12.

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Strike: "5,625,797 1,042,327 106,954 5,610,936 1,051,266 106,964"

[general fund, state special revenue, federal special revenue fiscal year 2000 and 2001]

Insert: "5,628,297 1,039,827 129,954 5,613,436 1,048,766 129,964"

[general fund, state special revenue, federal special revenue fiscal year 2000 and 2001]

96. Page C-14.

Following: line 18

Insert: "During the 2001 biennium, up to \$100,000 of excess loan loss reserve money in the water pollution control state revolving fund is appropriated to make grants to aid in the feasibility of projects as authorized in 75-5-1113(3)(b) of House Bill No. 74.

During the 2001 biennium, up to \$100,000 of excess loan loss reserve money in the drinking water state revolving fund is appropriated to make grants to aid in the feasibility of projects as authorized in 75-6-224(3)(b) of House Bill No. 74.

Because of the de-earmarking of recreational use fines by House Bill No. 69, item 1 has been reduced by \$4,848 in state special revenue funds in fiscal year 2000 and by \$4,848 in state special revenue funds in fiscal year 2001 and general fund amounts have been increased by the same amounts. If House Bill No. 69 is not passed and approved in a form that de-earmarks the state special revenue funds, then the general fund amounts in item 1 are reduced by \$4,848 in fiscal year 2000 and by \$4,848 in fiscal year 2001 and the state special revenue amounts are increased by the same amounts.

Because of the de-earmarking of water adjudication fees by House Bill No. 69, item 2 has been reduced by \$2,136 in state special revenue funds in fiscal year 2000 and by \$2,057 in state special revenue funds in fiscal year 2001 and general fund amounts have been increased by the same amounts. If House Bill No. 69 is not passed and approved in a form that de-earmarks the state special revenue funds, then the general fund amounts in item 2 are reduced by \$2,136 in fiscal year 2000 and by \$2,057 in fiscal year 2001 and the state special revenue amounts are increased by the same amounts.

Because of the elimination of the statutory appropriation for the Yellowstone ground water area water compact by House Bill No. 69, item 5 has been increased by \$23,000 in federal special revenue funds in fiscal year 2000 and

by \$23,000 in federal special revenue funds in fiscal year 2001. If House Bill No. 69 is not passed and approved in a form that eliminates the statutory appropriation, then the federal special revenue amounts in item 5 are reduced by \$23,000 in fiscal year 2000 and by \$23,000 in fiscal year 2001.

Because of the de-earmarking of water adjudication fees by House Bill No. 69, item 5 has been reduced by \$2,500 in state special revenue funds in fiscal year 2000 and by \$2,500 in state special revenue funds in fiscal year 2001 and general fund amounts have been increased by the same amounts. If House Bill No. 69 is not passed and approved in a form that de-earmarks the state special revenue funds, then the general fund amounts in item 5 are reduced by \$2,500 in fiscal year 2000 and by \$2,500 in fiscal year 2001 and the state special revenue amounts are increased by the same amounts."

97. Page C-15, following line 14.

Insert: "c. SB 164 - Noxious Weed Trust (Restricted)

77,063 154,125 [state special revenue fiscal year 2000 and 2001]

d. SB 183 - Agricultural Seed (Restricted)

23,000 23,000 [state special revenue fiscal year 2000 and 2001]

e. SB 394 - State Organic Certification Program (Restricted)

47,955 77,725" [state special revenue fiscal year 2000 and 2001]

98. Page C-15, following line 16.

Insert: "a. Cooperative Development Center - MSU-Northern (Restricted/Biennial)

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600,000 [federal special revenue fiscal year 2000]
b. Rail Transportation Technical Assistance (Restricted/Biennial/OTO)
50,000 [state special revenue (wheat and barley)]
c. SB 342 - Agricultural Heritage Preservation (Restricted/Biennial/OTO)
1,000,000" [general fund fiscal year 2000]

99. Page C-15, following line 23.

Insert: "Item 2c is contingent upon passage and approval of Senate Bill No. 164.

Item 2d is contingent upon passage and approval of Senate Bill No. 183.

If House Bill No. 260 is passed and approved, \$65,000 each fiscal year of state special revenue money appropriated in House Bill No. 260 must be used for a cooperative development center at MSU-northern.

Item 3c is contingent upon passage and approval of Senate Bill No. 342.

It is the view of the legislature that:

- (1) the state of Montana has great potential for the growing of alternative crops;
- (2) producers are not always aware of the potential for growing alternative crops;
- (3) state government can and should assist producers in meeting the potential of growing alternative crops.

Therefore, all appropriate entities of state government are directed to work cooperatively to develop policies and provide guidance and assistance to Montana producers to enable them to maximize the use of lands to grow alternative crops, including but not limited to pharmaceutical crops, in an environmentally sound manner."

100. Page C-16, following line 7.

Insert: "b. SB 482 - Mortgage Lender Regulation

57,000 [state special revenue fiscal year 2000]

44,000 [state special revenue fiscal year 2001]

c. HB 526 - Deferred Deposit Lending Regulation

67,000 62,700" [state special revenue fiscal year 2000 and 2001]

101. Page C-16, line 9.

Strike: "5,243,754 [state special revenue fiscal year 2000]

5,237,348" [state special revenue fiscal year 2001]

Insert: "4,977,864 [state special revenue fiscal year 2000]

4,971,458" [state special revenue fiscal year 2001]

102. Page C-16, following line 11.

Insert: "b. Oracle Programming (Restricted/Biennial/OTO) 531,780 [state special revenue fiscal year 2000]

c. SB 334 - Revise Board of Outfitters 56,845 [state special revenue fiscal year 2000]

51,345 [state special revenue fiscal year 2000]

d. SB 445 - Beaverhead/Big Hole Outfitter Tag and River Use 16,545 16,410"

[state special revenue fiscal year 2000 and 2001]

103. Page C-16, line 15.

Strike: "1,163,941 [general fund fiscal year 2000]

1,159,932" [general fund fiscal year 2001]

Insert: "1,087,634 [general fund fiscal year 2000]

1,083,601" [general fund fiscal year 2001]

104. Page C-16, following line 21.

Insert: "d. Manufacturing Extension Grant Match (OTO)

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60,000 60,000 [general fund fiscal year 2000 and 2001]
e. SB 172 - Telephone License Tax Credit
10,000 5,000" [general fund fiscal year 2000 and 2001]

105. Page C-17, following line 14.

Insert: "b. HB 245 - Affordable Housing Building Codes
27,200 27,200"[state special revenue fiscal year 2000 and 2001]

106. Page C-18, following line 7.

Insert: "b. SB 27 - Telemarketing Fraud Prevention Act
115,393 [general fund fiscal year 2000]
100,295 [general fund fiscal year 2001]
25,000" [state special revenue fiscal year 2001]

107. Page C-18, following line 17.

Insert: "Item 2b is contingent upon passage and approval of Senate Bill No. 482 in a form that provides for regulation of mortgage lenders.

Item 2c is contingent upon passage and approval of House Bill No. 526.

Item 3c is contingent upon passage and approval of Senate Bill No. 334.

Item 3d is contingent upon passage and approval of Senate Bill No. 445.

Item 4e is contingent upon passage and approval of Senate Bill No. 172.

Item 8b is contingent upon passage and approval of House Bill No. 245."

108. Page C-19, following line 15.

Insert: "Item 12b is contingent upon passage and approval of Senate Bill No. 27."

109. Page D-1, line 25.

Strike: "2,486,189 2,465,660"

Insert: "2,556,389 2,530,940"

110. Page D-2.

Following: line 4

Insert: "b. HB 109 - Establish Automated Video Gambling Accounting and Reporting System (Biennial)

380,000 [general fund fiscal year 2000]

560,000" [state special revenue fiscal year 2000]

111. Page D-2.

Following: line 6

Insert: "a. HB 540 - Light Vehicle Registration Fee Referendum(Biennial/OTO)

279,469 [general fund fiscal year 2000]

b. HB 648 - Issue New License Plates (Biennial/OTO)

45,000" [general fund fiscal year 2000]

112. Page D-3.

Following: line 17

Insert: "Item 2b contains funding for the automated accounting and reporting system. The general fund appropriation of \$380,000 reflects the first year of a 5-year general fund commitment for this project. It is the intent

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of the legislature that an annual general fund commitment of \$380,000 be continued in each year of the 2003 biennium. It is also acknowledged that 1 additional FTE and related operating costs will be necessary in fiscal year 2002.

The appropriation in item 3a is contingent upon the passage of the public referendum in November of 2000 that calls for the replacement of the current system for taxation of light vehicles with a registration fee."

113. Page D-3, line 22.

Strike: "2,436,048"

Insert: "2,336,048"

114. Page D-3.

Following: line 24

Insert: "b. Consultants (Biennial)

100,000" [state special revenue fiscal year 2000]

115. Page D-4, line 12.

Strike: "13,357,166 13,631,305"

Insert: "13,488,665 13,764,942"

116. Page D-5, line 1.

Strike: "21,970,191 71,453 22,912,063 71,453"

Insert: "30,587,900 279,539 30,846,182 260,761"

117. Page D-5.

Strike: line 6 through line 7 in their entirety.

118. Page D-5, line 11.

Strike: "27,953,941 28,173,319"

Insert: "28,236,682 28,458,652"

119. Page D-5, line 15.

Strike: "13,077,305 15,821,432"

Insert: "13,473,786 16,571,624"

120. Page D-5, line 19.

Strike: "1,028,003 1,035,485"

Insert: "1,038,639 1,046,166"

121. Page D-5.

Following: line 21

Insert: "b. SB 454 - Powell County Treasurer

46,000 [proprietary fiscal year 2000]

46,000 [proprietary fiscal year 2001]

c. HB 648 - Issue New License Plates in Fiscal Year 2000 (Biennial/OTO)

2,059,661" [general fund fiscal year 2000]

122. Page D-6.

Strike: line 7 through line 8 in their entirety.

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123. Page D-6, line 15.

Strike: "7,015,178 6,995,376" [state special revenue fiscal year 2000 and 2001]

Insert: "7,033,446 7,011,695" [state special revenue fiscal year 2000 and 2001]

124. Page D-7, line 5.

Strike: "658,400 668,033" [state special revenue fiscal year 2000 and 2001]

Insert: "769,982 767,707" [state special revenue fiscal year 2000 and 2001]

125. Page D-7, line 7.

Strike: "878,964 4,615,359 877,709 4,779,832"

[general fund and state special revenue fiscal year 2000 and 2001]

Insert: "880,964 5,800,876 879,709 5,980,332"

[general fund and state special revenue fiscal year 2000 and 2001]

126. Page D-7, line 24 and 25.

Following: "." on line 24

Strike: remainder of line 24 through line 25 in their entirety

Insert: "Item 4 is contingent upon passage and approval of House Bill No. 282. House Bill No. 282 increases the amount allocated to the employment security account by \$404,000 in fiscal year 2000 and \$596,000 in fiscal year 2001. The increase has been added to item 4. However, the agency may distribute the increase throughout the programs as necessary."

127. Page D-8.

Following: line 14

Insert: "Because of the de-earmarking of prevailing wage penalties by House Bill No. 69, item 4 has been reduced by \$2,000 in state special revenue funds in fiscal year 2000 and by \$2,000 in state special revenue funds in fiscal year 2001 and general fund amounts have been increased by the same amounts. If House Bill No. 69 is not passed and approved in a form that de-earmarks the state special revenue funds, then the general fund amounts in item 4 are reduced by \$2,000 in fiscal year 2000 and by \$2,000 in fiscal year 2001 and the state special revenue amounts are increased by the same amounts."

128. Page D-9, line 4.

Following: "Restricted/"

Insert: "Biennial/"

129. Page D-9, line 5.

Strike: "100,000 [general fund fiscal year 2000]

150,000" [general fund fiscal year 2001]

Insert: "250,000" [general fund fiscal year 2000]

130. Page D-9, following line 5.

Insert: "c. Montana National Guard Challenge Program (Restricted/Biennial/OTO)

840,000 760,000 [general fund fiscal year 2000 and 2001]

1,960,000 1,820,000" [federal special revenue fiscal year 2000 and 2001]

131. Page E-1, line 6.

Strike: "4,270,516 4,252,881" [general fund fiscal year 2000 and 2001]

Insert: "4,239,798 4,222,349" [general fund fiscal year 2000 and 2001]

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132. Page E-1, line 21.

Following: line 20

Insert: "f. FFA Executive Secretary (Restricted) 30,718 30,532" [general fund fiscal year 2000 and 2001]

133. Page E-3, line 13.

Following: line 12

Insert: "The superintendent of public instruction is authorized to use up to \$30,000 in general fund money for the 2001 biennium from the appropriation in item 1 for national board certification stipends to Montana public school teachers who obtain certification from the national board for professional teaching standards.

An equal one-time stipend of \$5,000 or less for each teacher, as authorized by the superintendent of public instruction, may be provided to each public school teacher who obtains certification from the national board for professional teaching standards if the teacher is:

- (1) a full-time employee of a Montana public school district, as defined in 20-6-101, of an education cooperative, as described in 20-7-451, or of the Montana school for the deaf and blind, as described in 20-8-101;
- (2) a full-time classroom teacher, librarian, or other full-time employee serving in an assignment covered by national board certification assessment; and
- (3) certified to teach in Montana under the provisions of 20-4-103.

A teacher is eligible for the stipend in the school year beginning July 1 after the teacher obtains certification from the national board for professional teaching standards."

134. Page E-6, following line 9.

Insert: "c. E-Rate Discount (OTO) 13,266" [state special revenue fiscal year 2000]

135. Page E-11, line 14.

Following: line 13

Insert: "The general fund appropriation in item 4 is calculated to fund education in the community colleges for an estimated 2,180 resident FTE students each year. If total annual resident FTE student enrollment in the community colleges is greater than 2,180, the community colleges shall serve the additional students without a state general fund contribution. If actual resident FTE student enrollment is less than 2,180 in either year, the commissioner of higher education shall revert \$2,550 in general fund money from the appropriation in item 4 to the state for each estimated FTE student who did not enroll."

136. Page E-11, line 19.

Following: line 18

Insert: "The general fund and millage appropriation in item 7 is calculated to fund education in the 4-year units and the colleges of technology for an estimated 24,622 resident FTE students in fiscal year 2000 and 24,871 resident FTE students in fiscal year 2001. If actual resident student enrollment is greater than the estimated number for the biennium, the university system shall serve the additional students without a state general fund contribution. If actual resident student enrollment is less than the estimated number for the biennium, the commissioner of higher education shall revert \$1,837 in general fund money to the state for each estimated FTE student who did not enroll."

137. Page E-11, line 23 through page E-12, line 2.

Strike: line 23 on page E-11 through line 2 on page E-12 in their entirety.

For the House:

For the Senate:

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Zook, Chairman
E. Bergsagel
Quilici

Swysgood, Chairman
Mohl
Nelson (unsigned)

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 127
Report No. 2, April 19, 1999

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 127** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 127** (reference copy -- salmon) be amended as follows:

1. Page 3, line 8.

Following: "district"

Insert: "court"

2. Page 12, line 28.

Following: "OR"

Insert: ", if the fee has been assessed and deducted from the collection by an entity other than the department,"

For the House:

Kasten, Chairman (unsigned)
R. Johnson
Mangan

For the Senate:

Keenan, Chairman
Bishop
Halligan

MESSAGES FROM THE GOVERNOR

April 20, 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 117** sponsored by Senator F. Thomas, **Senate Bill 126** sponsored by Senator W. Crismore, **Senate Bill 151** sponsored by Senator D. Toews, **Senate Bill 178** sponsored by Senator Nelson, **Senate Bill 215** sponsored by Senator Bartlett, **Senate Bill 241** sponsored by Senator Doherty et al., **Senate Bill 293** sponsored by Senator A. Bishop, **Senate Bill 331** sponsored by Senator D. Shea, **Senate Bill 477** sponsored by Senator D. Mahlum et al., and **Senate Bill 505** sponsored by Senator D. Grimes et al. on April 20, 1999.

Sincerely,

MARC RACICOT
Governor

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MESSAGES FROM THE OTHER HOUSE

Free conference committee report #1 adopted: 4/21/1999

SB 81, introduced by J. Harp
SB 97, introduced by S. Stang
SB 111, introduced by B. DePratu
SB 499, introduced by L. Grosfield
HB 11, introduced by M. McCann
HB 57, introduced by J. Mercer
HB 337, introduced by E. Bergsagel
HB 374, introduced by J. Hurdle
HB 470, introduced by B. Kasten
HB 533, introduced by S. Gallus
HB 648, introduced by R. Menahan
HJR 2, introduced by B. Story

Conference committee report #1 adopted: 4/21/1999

HB 13, introduced by R. Johnson
HB 182, introduced by C. Ahner
HB 420, introduced by R. Dale
HB 528, introduced by C. Juneau
HB 566, introduced by M. Brainard
HB 626, introduced by H. Harper

Governor's amendments to Senate bills concurred in and returned to the Senate: 4/21/1999

SB 271, introduced by M. Taylor
SB 356, introduced by A. Mohl
SB 361, introduced by K. Mesaros

Governor's amendments to House bills concurred in and transmitted to the Senate for concurrence in the Governor's amendments:

HB 310, introduced by B. Molnar
HB 321, introduced by D. Fuchs
HB 366, introduced by B. Kasten

Senate bill concurred in and returned to the Senate: 4/21/1999

SB 23, introduced by F. Thomas

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

Session No. 2

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

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

HB 127 - Conference Committee Report No. 2 - Senator B. Keenan moved the Conference Committee report to HB 127 be adopted. Motion carried unanimously.

Senator Harp moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Jergeson moved the Committee of the Whole report be adopted. Report adopted.

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:

HB 127, Conference Committee Report No. 2, adopted as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, 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: Grosfield.
Total 1

HB 5, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, 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: Grosfield.
Total 1

HB 90, as amended by the Governor, concurred in as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, 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: Grosfield.
Total 1

HB 310, as amended by the Governor, concurred in as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, 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, Wells, Wilson, Mr. President.
Total 47

Nays: Bartlett, Waterman.
Total 2

Absent or not voting: None.
Total 0

Excused: Grosfield.
Total 1

HB 321, as amended by the Governor, concurred in as follows:

Yeas: Berry, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Lynch, Mahlum, McCarthy, McNutt, Nelson, Roush, Shea, Sprague, Stang, Tester, Mr. President.
Total 33

Nays: Bartlett, Beck, Bishop, Devlin, Ellis, Keenan, Mesaros, Miller, Mohl, Swysgood, Taylor, Thomas, Toews, Waterman, Wells, Wilson.
Total 16

Absent or not voting: None.

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Total 0

Excused: Grosfield.

Total 1

MOTIONS

Majority Leader Harp moved that the Senate stand in recess until the hour of 1:30 p.m. this legislative day. Motion carried.

Senate recessed at 10:47 a.m.

Senate reconvened at 1:32 p.m.

Roll Call. All members present except Senators Grosfield, Swysgood and Harp, excused. Quorum present.

MESSAGES FROM THE OTHER HOUSE

Free conference committee report #3 adopted: 4/21/1999

SB 406, introduced by S. Doherty

Free conference committee report #1 adopted: 4/21/1999

HB 540, introduced by L. Grinde

MOTIONS

Senator Thomas moved that the Senate stand in recess until the hour of 2:30 p.m. this legislative day. Motion carried.

Senate recessed at 1:40 p.m.

Senate reconvened at 2:40 p.m.

Roll Call. All members present except Senators Taylor and Wilson, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman): 4/21/1999

Correctly enrolled: SB 59, SB 96, SB 243, SB 301, SB 338.

Examined by the sponsor and found to be correct: SB 59, SB 96, SB 243, SB 301, SB 338.

Signed by the President at 4:45 p.m., April 21, 1999: SJR 14, SJR 20, SJR 21, SR 7.

Signed by the Secretary of Senate at 5:10 p.m., April 21, 1999: SJR 14, SJR 20, SJR 21, SR 7.

SECOND READING OF BILLS

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(COMMITTEE OF THE WHOLE)

Session No.3

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

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

SB 184 - Free Conference Committee Report No. 1 - Senator L. Grosfield moved the Free Conference Committee report to SB 184 be adopted. Motion carried as follows:

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

Total 42

Nays: Bartlett, Devlin, Doherty, Ellingson, Jergeson, Nelson.

Total 6

Absent or not voting: None.

Total 0

Excused: Taylor, Wilson.

Total 2

HB 2 - Free Conference Committee Report No. 1 - Senator C. Swysgood moved the Free Conference Committee report to HB 2 be adopted. Motion carried as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Jabs, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Roush, Shea, Sprague, Swysgood, Thomas, Mr. President.

Total 33

Nays: Bartlett, Christiaens, Cocchiarella, Doherty, Ellingson, Halligan, Jergeson, Keating, Miller, Nelson, Stang, Tester, Toews, Waterman, Wells.

Total 15

Absent or not voting: None.

Total 0

Excused: Taylor, Wilson.

Total 2

Senator Harp moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman G. Jergeson moved the Committee of the Whole report be adopted. Report adopted.

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

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

Total 45

Nays: Doherty, Ellingson, Jergeson, Nelson, Wilson.

Total 5

Paired: Harp, Taylor, Ayes; Ellingson, Wilson, Noes.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 2, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Cocchiarella, Cole, Crismore, DePratu, Devlin, Eck, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Roush, Shea, Sprague, Swysgood, Taylor, Tester, Thomas, Mr. President.

Total 37

Nays: Bartlett, Christiaens, Doherty, Ellingson, Jergeson, Keating, Miller, Nelson, Stang, Toews, Waterman, Wells, Wilson.

Total 13

Paired: Harp, Taylor, Ayes; Ellingson, Wilson, Noes.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

MOTIONS

Majority Leader Harp moved that the Senate stand in recess until the hour of 6:15 p.m. this legislative day. Motion carried.

Senate recessed at 5:33 p.m.

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Senate reconvened at 6:15 p.m.

Roll call. All members present except Senators Taylor and Wilson, excused. Quorum present.

Senator Thomas introduced the Senate pages, gave a brief overview of their future plans, and thanked them for their work this last week of the 56th legislative session.

MOTIONS

HB 490 - 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 HB 490. Motion carried. The President appointed the following members:

Senator Hargrove, Chairman
Senator Thomas
Senator Tester

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

Session No.4

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

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

SB 445 - House Amendments - Senator C. Swysgood moved House amendments to SB 445 be concurred in. Motion carried with Senator Stang voting nay.

Senator Harp moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman G. Jergeson moved the Committee of the Whole report be adopted. Report adopted.

Senators Hargrove, Tester and Thomas excused at this time.

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 445, as amended by the House, passed as follows:

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

Total 42

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Nays: Miller, Stang, Toews.
Total 3

Absent or not voting: None.
Total 0

Excused: Hargrove, Taylor, Tester, Thomas, Wilson.
Total 5

MOTIONS

Majority Leader Harp moved that the Senate stand in recess until the hour of 6:50 p.m. this legislative day. Motion carried.

Senate recessed at 6:30 p.m.

Senate reconvened at 7:20 p.m.

Roll Call. All members present except Senators Taylor and Wilson, excused. Quorum present.

MOTIONS

SB 186- Governor's Amendments - Senator J. Wells moved that the Senate reconsider its action in rejecting the Governor's amendments to SB 186 on the eighty-sixth legislative day. Motion carried as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Eck, Ekegren, Ellingson, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Wells, Mr. President.
Total 43

Nays: Waterman.
Total 1

Absent or not voting: Toews.
Total 1

Excused: Hargrove, Taylor, Tester, Thomas, Wilson.
Total 5

SB 186 - Governor's Amendments - Senator J. Wells moved that the Governor's Amendments to SB 186 be placed on the second reading board this legislative day. Motion carried.

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

Session No.5

Senator Harp moved the Senate resolve itself into a Committee of the Whole for consideration of business on second

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reading. Motion carried. Senator Jergeson in the chair.

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

SB 186 - Governor's Amendments - Senator J. Wells moved Governor's amendments to SB 186 be concurred in. Motion carried unanimously.

Senator Harp moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Jergeson moved the Committee of the Whole report be adopted. Report adopted.

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 186, as amended by the Governor, passed as follows:

Yeas: Bartlett, Beck, Berry, Bishop, Bohlinger, Christiaens, 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, Tester, Toews, Wells, Mr. President.

Total 45

Nays: Cocchiarella, Waterman.

Total 2

Absent or not voting: None.

Total 0

Excused: Taylor, Thomas, Wilson.

Total 3

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Miller, Chairman):

4/21/1999

Signed by the President at 7:00 p.m., April 21, 1999: SB 59, SB 96, SB 243, SB 301, SB 338.

Signed by the Secretary of Senate at 7:20 p.m., April 21, 1999: SB 59, SB 96, SB 243, SB 301, SB 338.

Signed by the Speaker at 8:59 p.m., April 21, 1999: SB 33, SB 164, SB 166, SB 195, SB 199, SB 220, SB 229, SB 265, SB 302, SB 333, SB 334, SB 430, SB 441, SB 454, SB 458, SB 460, SB 487, SB 492, SB 530.

Signed by the Speaker at 9:12 p.m., April 21, 1999: SB 59, SB 96, SB 243, SB 301, SB 338.

Signed by the Speaker at 9:39 p.m., April 21, 1999: SJR 14, SJR 16, SJR 18, SJR 20, SJR 21.

LEGISLATIVE ADMINISTRATION (Beck, Chairman):

4/21/1999

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., Thursday, April 22, 1999:

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TITLE

NAME

Pages: Michael Burchett
Megan Devenny
Jennifer Jackson
Amanda Williams
Neil Collins
Amber Hanson
Tyson Roth

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on House Bill 490
Report No. 1, April 21, 1999

Mr. Speaker and Mr. President:

We, your **Free** Conference Committee met and considered **House Bill 490** (reference copy -- salmon) and recommend this **Free** Conference Committee report be adopted.

And, recommend that **House Bill 490** (reference copy -- salmon) be amended as follows:

1. Title, line 13.

Following: "~~APPROPRIATION;~~"

Insert: "PROVIDING A CONTINGENT APPROPRIATION;"

2. Page 5, line 23.

Following: "election"

Insert: "-- polling hours"

Following: "."

Insert: "(1)"

3. Page 5.

Following: line 25

Insert: "(2) Polls must be open from noon to 8 p.m. or until all registered electors in any precinct have voted, at which time the polls must be closed immediately."

4. Page 8.

Following: line 10

Insert: "NEW SECTION. Section 9. Contingent appropriation. (1) In the event that funding pursuant to the provisions of House Bill No. 260 is not provided for the presidential preference primary, then the same amount of \$450,000 is appropriated to the office of the secretary of state from the general fund for fiscal year 2000 for the purposes of [this act].

(2) If the funding provided in House Bill No. 260 has been expended and House Bill No. 260 is later declared invalid, then a like amount of general fund money is appropriated to reimburse the coal tax trust fund."

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Renumber: subsequent section

For the House:

Anderson, Chairman
Ohs
Harper (unsigned)

For the Senate:

Hargrove, Chairman
Tester (unsigned)
F. Thomas

MESSAGES FROM THE GOVERNOR

April 21, 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 36** sponsored by Senator B. Keenan, **Senate Bill 68** sponsored by Senator D. Mahlum, **Senate Bill 79** sponsored by Senator C. Swysgood, **Senate Bill 113** sponsored by Senator D. Mahlum, **Senate Bill 169** sponsored by Senator M. Taylor et al., **Senate Bill 233** sponsored by Senator Bohlinger, **Senate Bill 359** sponsored by Senator E. Franklin et al., **Senate Bill 463** sponsored by Senator J. Wells, **Senate Bill 486** sponsored by Senator M. Halligan et al., and **Senate Bill 504** sponsored by Senator J. Lynch et al. on April 21, 1999.

Sincerely,

MARC RACICOT
Governor

MESSAGES FROM THE OTHER HOUSE

Free conference committee report #1 adopted: 4/21/1999

SB 184, introduced by Grosfield
HB 2, introduced by T. Zook
HB 5, introduced by M. McCann

Conference committee report #1 adopted: 4/22/1999

HB 127, introduced by R. Johnson

Senate amendments to House bill concurred in: 4/21/1999

HB 15, introduced by T. Zook
Governor's amendments to Senate bill concurred in and returned to the Senate: 4/21/1999

SB 186, introduced by Wells

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Governor's amendments to House bills concurred in and transmitted to the Senate for concurrence in the Governor's amendments:

4/21/1999

HB 90, introduced by T. Hagener

HB 260, introduced by D. Mood

HB 490 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following free conference committee to meet with a like committee from the Senate to confer on HB 490:

4/21/1999

Representative Anderson, Chairman

Representative Harper

Representative Ohs

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

Session No.6

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

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

HB 260 - Governor's Amendments - Senator J. Harp moved the Governor's amendments to HB 260 be concurred in. Motion carried as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Crismore, DePratu, Devlin, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Shea, Sprague, Swysgood, Thomas, Wells, Mr. President.

Total 29

Nays: Bartlett, Christiaens, Cocchiarella, Cole, Doherty, Eck, Ellingson, Franklin, Halligan, Jabs, Jergeson, Keating, Miller, Nelson, Roush, Stang, Tester, Toews, Waterman.

Total 19

Absent or not voting: None.

Total 0

Excused: Taylor, Wilson.

Total 2

HB 490 - Free Conference Committee Report No. 1 - Senator D. Hargrove moved the Free Conference Committee report to HB 490 be adopted. Motion carried as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Cocchiarella, Cole, Crismore, DePratu, Devlin, Ellis, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Lynch, Mahlum, McNutt, Mesaros, Mohl, Shea, Sprague, Thomas, Mr. President.

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Total 26

Nays: Bartlett, Christiaens, Doherty, Eck, Ekegren, Ellingson, Franklin, Halligan, Jabs, Jergeson, Keating, Keenan, McCarthy, Miller, Nelson, Roush, Stang, Swysgood, Tester, Toews, Waterman, Wells.

Total 22

Absent or not voting: None.

Total 0

Excused: Taylor, Wilson.

Total 2

Senator Harp moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Crippen in the chair. Chairman Jergeson moved the Committee of the Whole report be adopted. Report adopted.

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:

HB 490, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Berry, Bishop, Bohlinger, Cole, Crismore, DePratu, Devlin, Eck, Ellis, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Lynch, Mahlum, McNutt, Mesaros, Mohl, Shea, Sprague, Taylor, Thomas, Mr. President.
Total 26

Nays: Bartlett, Beck, Christiaens, Cocchiarella, Doherty, Ekegren, Ellingson, Franklin, Halligan, Jabs, Jergeson, Keating, Keenan, McCarthy, Miller, Nelson, Roush, Stang, Swysgood, Tester, Toews, Waterman, Wells, Wilson.
Total 24

Paired: Mohl, Taylor, Ayes; Doherty, Wilson, Noes.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 260, as amended by the Governor, concurred in as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Crismore, DePratu, Devlin, Ekegren, Ellis, Glaser, Grimes, Grosfield, Hargrove, Harp, Hertel, Holden, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Shea, Sprague, Swysgood, Taylor, Thomas, Wells, Mr. President.
Total 31

Nays: Bartlett, Christiaens, Cocchiarella, Cole, Doherty, Eck, Ellingson, Franklin, Halligan, Jabs, Jergeson, Keating, Miller, Roush, Stang, Tester, Toews, Waterman.
Total 18

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Paired: Taylor, Aye; Doherty, No.

Absent or not voting: None.
Total 0

Excused: Wilson.
Total 1

SPECIAL ORDERS OF THE DAY

Co-Dean Senator Halligan spoke to the Senate and acknowledged the term limited Senators, and pointed out that while these Senators may be retiring from the Senate due to the term limit law, they are leaving a legacy to the people of the State of Montana and he would always remember them.

Senator Hargrove presented Senate Pro Tempore Beck with a belt buckle and thanked him for his service to the Senate and the State of Montana.

Minority Leader Doherty and Majority Leader Harp exchanged best wishes, tokens of friendship and their thanks for working well with each other through the session and for their continued friendships.

Senator Thomas acknowledged Senator Harp and complimented him for his leadership and on behalf of the majority caucus presented him with a copy of the Russell painting When the Land Belonged to God. Senator Harp thanked the Senate and spoke of the sacrifices the family makes and the support they offer. He gave a brief talk of his experiences in both the House of Representatives and the Senate, and that he would be taking many memories with him.

Former Senate President Bob Brown, President Crippen's very special friend, acknowledged President Crippen and related some of their experiences while in the Senate and the true friendship that has endured. President Crippen was also presented with a copy of the Russell painting When the Land Belonged to God. President Crippen introduced his wife, Mary, and thanked her for her support and love. He related some of his experiences in the Senate and the various committees he has served on and the friendships that have been made. He also gave special thanks to Senator Doherty, Senator Nelson, Senator Thomas, Senator Hargrove, Senator Beck and Senator Harp for their contributions to the Senate.

MOTIONS

Majority Leader Harp moved that the President be authorized to appoint committees to notify his excellency, the Governor, the Supreme Court, and the House of Representatives that the Senate of the 56th Legislative session is ready to adjourn sine die. Motion carried.

The President appointed Senators Eck, Halligan and Keating to notify the Governor. Senators Bartlett, Hertel, Toews, Mesaros and Stang were appointed to notify the Chief Justice and Justices of the Montana Supreme Court. The House had previously adjourned sine die. The committees were dismissed to perform their duties.

The committee appointed to notify the Governor reported that the Governor expressed his thanks and sent his best wishes to the Senate. The committee was discharged.

The committee appointed to notify the Chief Justice and Justices of the Supreme Court reported that word had been left that the Senate was to adjourn. The committee was discharged.

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Majority Leader Harp moved that the Senate adjourn sine die. Motion carried.

President Crippen confirmed that at 10:05 p.m., April 21, 1999, the 56th Legislature for the State of Montana adjourned sine die.

ROSANA SKELTON
Secretary of Senate

BRUCE CRIPPEN
President of the Senate