

**SENATE JOURNAL
SECOND LEGISLATIVE DAY
56TH LEGISLATURE
SPECIAL SESSION**

Helena, Montana
June 16, 1999

Senate Chambers
State Capitol

Senate convened at 9:00 a.m. President Crippen presiding. Invocation by Reverend Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Cole, Franklin, Lynch and Roush, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

**A JOINT PROCLAMATION OF THE SENATE AND THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA**

WHEREAS, Ben Hainlin was the loving husband of Mary, and father of Sarah, Leslie and Lisa; and

WHEREAS, Ben honorably served in the military in the defense of his country; and

WHEREAS, he tirelessly worked for 30 years in the promotion of the beliefs and ideals of the Republican party; and

WHEREAS, Ben H ainlin served the Montana H ouse of Representatives for many years, courteously and respectfully protecting the public and members of the Montana Legislature in carrying out their official duties for the State of Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That all Montana legislators wish to make known their appreciation for the life and service of Ben Hainlin and to share their expression of loss and sorrow with his family and friends.

BRUCE CRIPPEN
President of the Senate

JOHN MERCER
Speaker of the House of Representatives

JOHN HARP
Senate Majority Leader

LARRY GRINDE
House Majority Leader

STEVE DOHERTY
Senate Minority Leader

EMILY SWANSON
House Minority Leader

Senator Hargrove moved that the Hainlin Proclamation be adopted. Motion carried as follows:

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

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Total 46
Nays: None
Total 0

Absent or not voting: None.
Total 0

Excused: Cole, Franklin, Lynch, Roush.
Total 4

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 6/16/1999

HB 2, introduced by Zook

FIRST READING AND COMMITMENT OF BILLS

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

HB 2, introduced by Zook, referred to Finance and Claims.

ANNOUNCEMENTS

Senator Swysgood announced a Finance and Claims Committee meeting immediately on recess.

MOTIONS

Majority Leader Harp moved that the Senate stand in recess until the hour of 10:00 a.m. Motion carried.

Senate recessed at 9:15 a.m.

Senate reconvened at 10:00 a.m.

Roll Call. All members present except Senator Roush, excused.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Swysgood, Chairman): 6/16/1999
HB 2, be concurred in. Report adopted.

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

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

We, your Committee of the Whole, having had under consideration business on second reading, recommend as

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follows:

HB 1 - Senator Swysgood moved HB 1 be concurred in. 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, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keating, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, 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: Roush.
Total 1

HB 2 - Senator Swysgood moved HB 2 be concurred in. Motion carried as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Cocchiarella, Cole, Crismore, DePratu, Devlin, Doherty, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Shea, Sprague, Stang, Swysgood, Thomas, Toews, Waterman, Wilson, Mr. President.
Total 40

Nays: Bartlett, Christiaens, Eck, Ellingson, Keating, Miller, Taylor, Tester, Wells.
Total 9

Absent or not voting: None
Total 0

Excused: Roush.
Total 1

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 Crippen moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

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

HB 1 concurred in as follows:

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

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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,

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: Roush.
Total 1

HB 2 concurred in as follows:

Yeas: Beck, Berry, Bishop, Bohlinger, Cocchiarella, Cole, Crismore, DePratu, Devlin, Ekegren, Ellis, Franklin, Glaser, Grimes, Grosfield, Halligan, Hargrove, Harp, Hertel, Holden, Jabs, Jergeson, Keenan, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Mohl, Nelson, Shea, Sprague, Stang, Swysgood, Thomas, Toews, Waterman, Wilson, Mr. President.
Total 39

Nays: Bartlett, Christiaens, Doherty, Eck, Ellingson, Keating, Miller, Taylor, Tester, Wells.
Total 10

Absent or not voting: None
Total 0

Excused: Roush.
Total 1

MOTIONS

Majority Leader Harp moved that the Senate stand in recess until the hour of 3:00 p.m.

Senate recessed at 10:45 a.m.

Senate reconvened at 3:00 p.m.

Roll Call. All members present except Senators Bishop, Bohlinger, Halligan, Keenan, Roush and Tester, excused.
Quorum present.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

6/16/1999

SB 1, introduced by Cole

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Senate bill concurred in and returned to the Senate:

6/16/1999

SB 2, introduced by Lynch

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

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

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

SB 1- House Amendments- Senator Cole moved the House Amendments to SB 1, be concurred in. Motion carried as follows:

Yeas: Bartlett, Beck, Berry, Christiaens, Cocchiarella, Cole, Crismore, DePratu, Doherty, Eck, Ekegren, Ellingson, Franklin, Glaser, Grimes, Grosfield, Harp, Hertel, Jabs, Jergeson, Keating, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Miller, Mohl, Nelson, Shea, Stang, Swysgood, Taylor, Thomas, Waterman, Wells, Wilson, Mr. President.

Total 38

Nays: Devlin, Ellis, Hargrove, Holden, Toews.

Total 5

Absent or not voting: None

Total 0

Excused: Bishop, Bohlinger, Halligan, Keenan, Roush, Sprague, Tester.

Total 7

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

THIRD READING OF BILLS

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

SB 1, as amended by the House, passed as follows:

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

Total 40

Nays: Devlin, Ellis, Franklin, Hargrove, Holden.

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Total 5

Absent or not voting: None

Total 0

Excused: Bishop, Bohlinger, Halligan, Keenan, Tester.

Total 5

Paired Votes: Nays: Devlin, Hargrove.

Yeas: Roush, Sprague.

MOTIONS

Majority Leader Harp moved that the President be authorized to appoint a committee to notify his Excellency, The Governor, that the Senate of the 56th Special Legislative Session is ready to adjourn sine die. Motion carried. The President appointed Senator Hargrove, Chairman, Senator Wells and Senator Nelson.

Majority Leader Harp moved that the President be authorized to appoint a committee to notify the House of Representatives that the Senate of the 56th Special Legislature is ready to adjourn sine die. Motion carried. The President appointed Senator Thomas, Chairman, Senator Ellis and Senator Ellingson.

Majority Leader Harp moved that the President be authorized to appoint a committee to notify the Chief Justice and Justices of the Montana Supreme Court that the Senate of the 56th Special Legislative session is ready to adjourn sine die. Motion carried. The President appointed Senator Mesaros, Chairman, Senator Keating and Senator Wilson. Committees were discharged to perform their duties.

Majority Leader Harp moved that the Senate stand at ease subject to the call of the chair. Motion carried.

The Senate resumed. The committee to notify the Governor reported that the Governor had been notified. President Crippen dismissed the committee.

The committee to notify the Chief Justice and Justices reported that the Chief Justice and Justices had been notified. President Crippen dismissed the committee.

The Committee from the House, Representatives Ohs, Tropilia, Sliter and Williams, informed the Senate that the House was ready to adjourn sine die.

The committee to notify the House of Representatives reported that the House had been notified. President Crippen dismissed the committee.

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

The Special Session of the 56th Legislature adjourned sine die at 3:40 p.m., Thursday, June 16, 1999.

ROSANA SKELTON
Secretary of the Senate

BRUCE CRIPPEN
President of the Senate

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REPORTS OF STANDING COMMITTEES

Delivered to the Governor for his approval at 5:10 p.m., June 17, 1999: SB 1, SB 2, HB 1, HB 2.