

**HOUSE JOURNAL
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 19, 1999

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative McKenney. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Dale and Molnar. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/19/1999

Correctly printed: **HB 59, HB 104, HB 127, HB 181, HB 185, HB 188, HB 273, HB 298, HB 325, HB 329, HB 336, HB 342, HB 345, HB 363, HB 366, HB 395, HB 408, HB 431, HB 468, HB 476, HB 490, HB 494, HB 499, HB 506, HB 508, HB 526, HB 529, HB 530, HB 559, HB 561, HB 566, HB 570, HB 575, HB 577, HB 578, HB 580, HB 585, HB 588, HB 590, HB 592, HB 593, HB 596, HB 601, HB 606, HB 608, HB 613, HB 614, HB 616, HB 617, HB 620, HB 623, HB 625, HB 632, HB 633, HB 635, HJR 23, HJR 25, HJR 28, HJR 31.**

Correctly engrossed: **HB 314, HB 326, HB 352, HB 444, HB 458, HB 482, HB 485, HB 486, HB 487, HB 488, HB 528, HB 533, HB 534, HB 539, HB 551, HB 583, HB 584, HJR 25.**

Correctly enrolled: **HB 3.**

Examined by the sponsor and found to be correct: **HB 3.**

Signed by the Speaker at 8:17 a.m., February 19, 1999: **HB 36, HB 141, HR 2.**

Delivered to the Secretary of State on February 19, 1999: **HR 2.**

Delivered to the Governor for his approval at 9:40 a.m., February 19, 1999: **HB 85, HB 93, HB 137, HB 138, HB 139, HB 175, HB 194.**

APPROPRIATIONS (Zook, Chairman): 2/19/1999

HB 92, introduced bill, be amended as follows:

1. Title, line 5.

Following: "MONEY"

Insert: "FROM THE COAL SEVERANCE TAX PERMANENT FUND"

2. Title, line 11.

Following: " ; "

Insert: "REQUIRING A THREE-FOURTHS VOTE;"

3. Page 1, line 17.

Strike: "general"

Insert: "coal severance tax permanent"

Following: "fund"

Insert: "a loan in the amount of"

4. Page 1, line 22.

Strike: "general"

Insert: "coal severance tax permanent"

5. Page 2, line 15.

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Insert: "NEW SECTION. Section 4. Loan agreement. In order to make the loan authorized in [section 1], the board of investments shall enter into a contract with the department of justice pledging the amount recovered in the litigation to the repayment of the loan to the full extent allowable under the law. The contract must provide that the loan repayment must be deposited in the coal severance tax permanent fund. To the extent possible, the board shall make the loan from the portion of the coal severance tax permanent fund invested in the short-term pool. The loan authorized in [section 1] may not be made until the contract required by this section has become effective."

Insert: "NEW SECTION. Section 5. Three-fourths vote. Because [section 1] appropriates money from the coal severance tax permanent fund, Article IX, section 5, of the Montana constitution requires a vote of three-fourths of the members of each house of the legislature for passage."

Renumber: subsequent sections

6. Page 2, line 16.

Strike: ", 3, and "

Insert: "through"

Following: "5"

Insert: "and 7"

And, as amended, do pass. Report adopted.

HB 433, do pass. Report adopted.

HB 536, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: the first "TO"

Strike: the remainder of line 6

2. Title, page 1, line 7.

Following: "THE"

Strike: "GENERAL FUND"

Insert: "BOARD OF INVESTMENTS"

3. Title, page 1, line 9.

Following: " ; "

Insert: "PROVIDING FOR A SEMIANNUAL REPORT TO THE LEGISLATIVE FINANCE COMMITTEE;"

4. Title, page 1, line 10.

Strike: the first "AND"

Following: "33-22-1513,"

Insert: "AND 33-22-1514,"

5. Page 1, line 15.

Following: "for"

Strike: "supplemental appropriations and"

6. Page 1, line 16.

Strike: "The association is authorized to seek supplemental appropriations if"

Insert: "(1) If"

7. Page 1, line 19.

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Strike: ". The"

Insert: ", the"

8. Page 1, line 19.

Strike: "general fund"

Insert: "board of investments"

9. Page 1, line 21.

Following: ". "

Insert: "(2) Whenever the association accepts a loan from the board of investments pursuant to this section, it shall repay the loan and any interest required under the terms of the loan through assessments and premium income."

10. Page 4, line 25.

Strike: "or"

Following: "insurance"

Insert: ", medicare risk or other similar medicare health maintenance organization payments, or medicaid health maintenance organization payments"

11. Page 5, following line 25.

Insert: "**Section 5.** Section 33-22-1514, MCA, is amended to read:

"33-22-1514. Administration of association plan -- rules. (1) The association shall select one lead carrier to issue the association plan. The board of directors of the association shall prepare appropriate specifications and bid forms and may solicit bids from licensed administrators and the members of the association for the purpose of selecting the lead carrier. The selection of the lead carrier must be based upon criteria established by the board of directors.

(2) The lead carrier shall perform all administrative and claims payment functions required by this section upon the commissioner's approval of the policy forms and contracts submitted. The lead carrier shall provide these services for a period of at least 3 years, unless a request to terminate is approved by the association and the commissioner. The association and the commissioner shall approve or deny a request to terminate within 90 days of its receipt. A failure to make a final decision on a request to terminate within the specified period is considered an approval. The association shall invite submissions of policy forms from members of the association, including the lead carrier, 6 months prior to the expiration of each 3-year period. The association shall follow the procedure provided in subsection (1) in selecting a lead carrier for the subsequent 3-year period or, if a request to terminate is approved, on or before the end of the 3-year period.

(3) The lead carrier shall provide all eligible persons involved in the association plan an individual certificate setting forth a statement as to the insurance protection to which the person is entitled, the method and place of filing claims, and to whom benefits are payable. The certificate must indicate that coverage was obtained through the association.

(4) The lead carrier shall submit to the association, the legislative finance committee, and the commissioner on a semiannual basis a report of the operation of the association plan. The association must determine the specific information to be contained in the report prior to the effective date of the association plan.

(5) The lead carrier shall pay all claims pursuant to this part and shall indicate that the claim was paid by the association plan. Each claim payment must include information specifying the procedure involved in the event a dispute over the amount of payment arises.

(6) The lead carrier must be reimbursed from the association plan premiums received for its direct and indirect expenses. Direct and indirect expenses include a prorated reimbursement for the portion of the lead carrier's administrative, printing, claims administration, management, and building overhead expenses, which are assignable to the maintenance and administration of the association plan. The association must approve cost accounting methods

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to substantiate the lead carrier's cost reports consistent with generally accepted accounting principles. Direct and indirect expenses may not include costs directly related to the original submission of policy forms prior to selection as the lead carrier.

(7) The lead carrier is, when carrying out its duties under this part, an independent contractor for the association and is individually liable for its actions, subject to the laws of this state."

Renumber: subsequent sections

12. Page 5, line 27.

Strike: "\$1"

Insert: "\$2"

13. Page 5, line 28.

Strike: "each of the fiscal years 2000 and "

Insert: "the"

Following: "2001"

Insert: "biennium"

And, as amended, do pass. Report adopted.

HB 537, do pass. Report adopted.

HB 538, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman):

2/18/1999

HB 100, introduced bill, be amended as follows:

1. Title, line 7.

Following: "LAWS;"

Insert: "DEFINING "INVOLUNTARY UNEMPLOYMENT INSURANCE"; DEFINING "GAP INSURANCE" AND "GAP AMOUNT";"

2. Title, line 9.

Following: "SECTIONS"

Insert: "27-1-306,"

3. Title, line 10.

Following: "31-1-233,"

Insert: "33-1-311,"

Following: "33-2-502,"

Insert: "33-2-521,"

4. Title, line 11.

Following: "33-10-102,"

Insert: "33-15-336,"

5. Title, line 12.

Following: "33-16-104,"

Strike: "33-16-1001,"

Following: "33-16-1022,"

Strike: "33-16-1024,"

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6. Title, line 13.

Strike: "33-17-603,"

7. Title, line 14.

Following: "33-22-140,"

Strike: "33-22-205,"

8. Title, line 16.

Following: "33-22-1819,"

Strike: "33-30-102,"

Insert: "33-23-212,"

9. Page 1.

Following: line 21

Insert: "Section 1. Section 27-1-306, MCA, is amended to read:

"27-1-306. When replacement value to be allowed. The measure of damages in a case in which the cost of repairing a motor vehicle exceeds its value is the actual replacement value of the motor vehicle rather than its "book" value unless, after the damages arise, the parties agree to use the "book" value. "Book" value must be determined by referring to ~~the used car guides listed in 61-3-503(1)(c)~~ the most recent volume of the Mountain States Edition of the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, the National Edition of the N.A.D.A. Appraisal Guides Official Older Used Car Guide, or another nationally published used vehicle or appraisal guide approved by the department of revenue. Actual replacement value is the actual cash value of the motor vehicle immediately prior to the damage. "Book" value may be used to assist in determining the actual replacement value of the motor vehicle."

Renumber: subsequent sections

10. Page 3, line 13.

Following: "is:"

Insert: "is"

11. Page 16, line 29.

Strike: "and examination costs collected under 30-10-210"

12. Page 18, line 7.

Following: "or"

Insert: "clients who meet the requirements of subsection"

13. Page 18, line 22.

Following: "or"

Insert: "clients who meet the requirements of subsection"

14. Page 24.

Following: line 29

Insert: "Section 10. Section 33-1-311, MCA, is amended to read:

"33-1-311. General powers and duties. (1) The commissioner shall enforce the applicable provisions of the laws of this state and shall execute the duties imposed on the commissioner by the laws of this state.

(2) The commissioner has the powers and authority expressly conferred upon the commissioner by or reasonably implied from the provisions of the laws of this state.

(3) The commissioner shall administer the department to ensure that the interests of insurance consumers

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are protected.

(4) The commissioner may conduct examinations and investigations of insurance matters, in addition to examinations and investigations expressly authorized, as the commissioner considers proper, to determine whether any person has violated any provision of the laws of this state or to secure information useful in the lawful administration of any provision. The cost of additional examinations and investigations must be borne by the state.

(5) The commissioner shall maintain as confidential any information or document received from:

(a) the national association of insurance commissioners; or (b) an insurance department from another state that treats the same information or document as confidential. The commissioner may provide information or documents, including information or documents that are confidential, to the national association of insurance commissioners, a state or federal law enforcement agency, or an insurance department in another state, if the recipient agrees to maintain the confidentiality of the information or documents.

~~(5)(6)~~ The department is a criminal justice agency as defined in 44-5-103."

Renumber: subsequent sections

15. Page 27, line 6.

Following: "such"

Insert: "issued and"

Following: "stock"

Insert: "issued by the insurer"

16. Page 27, line 7.

Following: "by"

Strike: "the"

Following: "stock"

Insert: "issued by the insurer"

17. Page 27.

Following: line 21

Insert: "Section 14. Section 33-2-521, MCA, is amended to read:

"33-2-521. Standard valuation of reserve liabilities law -- life insurance. (1) The commissioner shall annually value or cause to be valued the reserve liabilities (reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurer doing business in this state and may certify the amount of any reserves, specifying the mortality table or tables, rate or rates of interest, and methods (net level premium method or other) used in the calculation of reserves. In calculating the reserves, the commissioner may use group methods and approximate averages for fractions of a year or otherwise.

(2) In lieu of the valuation of the reserves required in this section of any foreign or alien insurer, the commissioner may accept any valuation made or caused to be made by the insurance supervisory official of any state or other jurisdiction when the valuation complies with the minimum standard provided in this section and if the official of the other state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the commissioner when the certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction.

(3) Any insurer that has adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard provided in this section may, with the approval of the commissioner, adopt any lower standard of valuation but not lower than the minimum in this section. For the purposes of this section, the holding of additional reserves previously determined by a qualified actuary to be necessary to render the opinion required in subsection (4) may not be considered to be the adoption of a higher standard of valuation.

(4) (a) Each life insurer doing business in this state shall annually submit the opinion of a qualified actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified by the

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commissioner by rule are computed appropriately, are based on assumptions that satisfy contractual provisions, are consistent with prior reported amounts, and comply with applicable laws of this state. The commissioner by rule shall define the specifics of this opinion and add any other items considered necessary to its scope.

(b) Each life insurer, except as exempted by or pursuant to regulation, shall also annually include in the opinion required by subsection (4)(a) an opinion of the same qualified actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified by the commissioner by rule, when considered in light of the assets held by the insurer with respect to the reserves and related actuarial items, including but not limited to the investment earnings on the assets and the considerations anticipated to be received and retained under the policies and contracts, make adequate provision for the insurer's obligations under the policies and contracts, including but not limited to the benefits under and expenses associated with the policies and contracts.

(c) The commissioner may provide by rule for a transition period for establishing any higher reserves that the qualified actuary may consider necessary in order to render the opinion required by this subsection (4).

(d) Each opinion required by this subsection (4) must be governed by the following provisions:

(i) A memorandum, in form and substance acceptable to the commissioner as specified by rule, must be prepared to support each actuarial opinion.

(ii) If the insurer fails to provide a supporting memorandum at the request of the commissioner within a period specified by rule or if the commissioner determines that the supporting memorandum provided by the insurer fails to meet the standards prescribed by the rules or is otherwise unacceptable to the commissioner, the commissioner may engage a qualified actuary at the expense of the insurer to review the opinion and the basis for the opinion and to prepare any supporting memorandum as is required by the commissioner.

(iii) The opinion must be submitted with the annual statement reflecting the valuation of the reserve liabilities for each year ending on or after December 31, 1996.

(iv) The opinion must apply to all business in force, including individual and group health insurance plans, in form and substance acceptable to the commissioner as specified by rule.

(v) The opinion must be based on standards adopted from time to time by the actuarial standards board and on additional standards as the commissioner may prescribe by rule.

(vi) In the case of an opinion required to be submitted by a foreign or alien insurer, the commissioner may accept the opinion filed by that insurer with the insurance supervisory official of another state if the commissioner determines that the opinion reasonably meets the requirements applicable to a company domiciled in this state.

(vii) Except in cases of fraud or willful misconduct, the qualified actuary is not liable for damages to any person, other than the insurer and the commissioner, for any act, error, omission, decision, or conduct with respect to the actuary's opinion.

(viii) Disciplinary action by the commissioner against the insurer or the qualified actuary must be defined in rules by the commissioner.

(ix) Any memorandum in support of the opinion and any other material provided by the insurer to the commissioner in connection with those items must be kept confidential by the commissioner, may not be made public, and is not subject to subpoena, other than for the purpose of defending an action seeking damages from any person by reason of any action required by this subsection (4) or by rules promulgated under this subsection (4). However, the memorandum or other material may otherwise be released by the commissioner:

(A) with the written consent of the insurer; or

(B) to the American academy of actuaries upon request stating that the memorandum or other material is required for the purpose of professional disciplinary proceedings and setting forth procedures satisfactory to the commissioner for preserving the confidentiality of the memorandum or other material. Once any portion of the confidential memorandum is cited by the insurer in its marketing, is cited before any governmental agency other than a state insurance department, or is released by the insurer to the news media, all portions of the confidential memorandum are no longer confidential.

(5) For purposes of this section, "qualified actuary" means a member in good standing of the American academy of actuaries who meets the requirements set forth in the academy's rules."

Renumber: subsequent sections

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18. Page 35.

Following: line 16

Insert: "Section 25. Section 33-15-336, MCA, is amended to read:

"33-15-336. **Applicability.** (1) Other statutes of this state setting simplification standards for language or format do not apply to property and casualty policies.

(2) Sections 33-15-333 through 33-15-340 do not apply to policies in manuscript form or to the following kinds of insurance:

(a) ocean marine;

(b) surety and financial institution bonds;

(c) reinsurance; ~~or~~

(d) commercial aviation; or

(e) large commercial risks whose aggregate annual premiums for insurance on all risks totals at least \$100,000.

(3) A non-English policy is considered in compliance with 33-15-337 if it was translated from an English policy that complies with 33-15-337."

Renumber: subsequent sections

19. Page 35, line 22.

Strike: "90"

Insert: "60"

20. Page 37, lines 14 through 20.

Strike: section 25 in its entirety

Renumber: subsequent sections

21. Page 39, line 8 through page 40, line 20.

Strike: sections 28 and 29 in their entirety

Renumber: subsequent sections

22. Page 41, line 7.

Following: "a"

Strike: "A"

Insert: "If the applicant is a"

23. Page 41, lines 9 through 11.

Following: "examination" on line 9

Strike: the remainder of line 9 through "producer" on line 11

Insert: ", each individual who is to be named in the license as having authority to act for the applicant in its insurance transactions under the license shall meet the qualifications as provided in this section"

24. Page 42, line 11.

Strike: subsection (h) in its entirety

Renumber: subsequent subsections

25. Page 42, line 12.

Strike: "or"

Insert: "(i) a gap insurance producer;

(j) involuntary unemployment insurance producer; or"

Renumber: subsequent subsection

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26. Page 42, lines 23 and 24.

Following: "insurer" on line 23

Strike: the remainder of line 23 through the first "insurer" on line 24

Strike: "becomes"

Insert: "is"

27. Page 42, lines 25 and 26.

Following: "section." on line 25

Strike: the remainder of line 25 and line 26 in its entirety

Insert: "This does not prevent an insurance producer from obtaining and presenting a quotation from an insurer with whom the producer is not appointed. If the insurer consents, the insurer may bind coverage on a risk in accordance with 33-15-411 prior to the execution of an agency contract and policy issuance."

28. Page 42, line 27.

Strike: "(a)"

Insert: "(2)"

29. Page 42, lines 28 and 29.

Following: "executed" on line 28

Strike: "or the first insurance application is submitted by"

Insert: "with"

Following: "producer,"

Strike: "whichever" through "earlier," on line 29

30. Page 43, lines 2 through 8.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

31. Page 43, line 9.

Strike: "(2)"

Insert: "(3)"

Renumber: subsequent subsections

32. Page 43, lines 9 and 10.

Following: "verify" on line 9

Strike: the remainder of line 9 through "days" on line 10

33. Page 43, line 12.

Strike: "within 5 days"

34. Page 43, line 13.

Following: "executed"

Insert: "agency"

35. Page 43, line 14.

Following: "department"

Insert: ", unless the appointment is disapproved by the insurance department. A disapproved appointment is void on the date the department provides notification to the insurer"

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36. Page 43, line 15.

Following: "insurer"

Strike: "or insurance producer"

37. Page 43, lines 27 through 30.

Strike: subsection (4) in its entirety

38. Page 44, lines 13 through 30.

Strike: section 34 in its entirety

39. Page 45, line 14.

Strike: "5"

Insert: "2 1/2"

40. Page 45, line 26.

Strike: "(7)(i)"

Insert: "(7)(k)"

41. Page 52, lines 23 and 24.

Following: "coverage" on line 23

Strike: the remainder of line 23 through "year" on line 24

Insert: "issued to a large employer"

42. Page 53, lines 27 and 28.

Following: "coverage" on line 27

Strike: "the remainder of line 27 through "year" on line 28"

Insert: "maintained by a small employer as defined in 33-22-1803"

43. Page 54, lines 5 through 26.

Strike: section 43 in its entirety

Renumber: subsequent sections

44. Page 59, line 13.

Strike: "may be"

Insert: "is"

45. Page 59, line 14.

Strike: "maximum"

Insert: "minimum"

46. Page 59, line 19.

Strike: "may be"

Insert: "is"

Strike: "maximum"

Insert: "minimum"

47. Page 60, line 6.

Strike: "may be"

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Insert: "is"
Strike: "maximum"
Insert: "minimum"

48. Page 61, line 1.
Strike: "may be"
Insert: "is"

49. Page 61, line 2.
Strike: "maximum"
Insert: "minimum"

50. Page 61, line 7.
Strike: "may be"
Insert: "is"
Strike: "maximum"
Insert: "minimum"

51. Page 61, line 23.
Strike: "may be"
Insert: "is"
Strike: "maximum"
Insert: "minimum"

52. Page 80.

Following: line 24

Insert: "Section 55. Section 33-23-212, MCA, is amended to read:

"33-23-212. Notice required for cancellation -- statement that insurer will specify reason upon request -- exception -- penalty. (1) Notwithstanding any other provision of this code, ~~no~~ a cancellation by an insurer of a motor vehicle liability insurance policy may not be effective prior to the mailing or delivery to the named insured, at the address shown in the policy, of a written notice of the cancellation stating the date on which, not less than 30 days after the date of such mailing or delivery, the cancellation becomes effective.

(2) ~~No~~ A notice of cancellation of a policy to which 33-23-211 applies may not be effective unless mailed or delivered by the insurer to the named insured at least 30 days prior to the effective date of cancellation; provided, however, that where cancellation is for nonpayment of premium, at least 10 days' notice of cancellation accompanied by the reason ~~therefor~~ must be given. Unless the reason accompanies or is included in the notice of cancellation, the notice of cancellation must state or be accompanied by a statement that upon written request of the named insured, mailed or delivered to the insurer not less than ~~15~~ 21 days prior to the effective date of cancellation, the insurer ~~will~~ shall specify the reason for ~~such~~ the cancellation.

(3) Subsection (2) does not apply to nonrenewal.

(4) Any insurer willfully violating any provisions of subsection (2) of this section is guilty of a misdemeanor and is punishable by a fine not exceeding \$500 for each violation thereof."

53. Page 80, line 26 through page 81, line 4.

Strike: section 56 in its entirety

Renumber: subsequent sections

54. Page 82, line 16.

Following: "corporation."

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Insert: "(4) The commissioner may decrease or suspend the requirements of this section if the commissioner finds that the action is in the best interest of the members of the corporation."

55. Page 97, lines 14 through 23.

Strike: section 67 in its entirety

Insert: "NEW SECTION. Section 66. Service contract. (1) Service contract means a contract or agreement for a separately stated consideration for a specific duration to perform the repair, replacement, or maintenance of property or to indemnify for the repair, replacement, or maintenance of property if an operational or structural failure is due to a defect in materials or manufacturing or to normal wear and tear, with or without an additional provision for incidental payment or indemnity under limited circumstances, including but not limited to towing, rental, and emergency road service. A service contract may provide for the repair, replacement, or maintenance of property for damage resulting from power surges or accidental damage from handling.

(2) The marketing, sale, offering for sale, issuance, making, proposing to make, and administration of a service contract is exempt from the provisions of Title 33, except for:

- (a) chapter 1, part 3;
- (b) chapter 1, part 6, excluding 33-1-616;
- (c) chapter 1, part 7; and
- (d) chapter 18."

Renumber: subsequent sections

56. Page 98.

Following: line 15

Insert: "NEW SECTION. Section 69. Involuntary unemployment insurance. Involuntary unemployment insurance means insurance providing the insured borrower with coverage for consumer credit replacement obligations for a period or periods during which the borrower is involuntarily unemployed. Involuntary unemployment insurance must at least provide benefits for the loss of employment income caused by individual or mass layoff, a general strike, termination by an employer, a dispute involving organized labor, and a lockout."

Insert: "NEW SECTION. Section 70. Gap amount -- gap insurance. (1) As used in this section, gap amount means the difference between the amount owed by the lessee or borrower under the purchase or lease agreement in the event of total loss of the personal property prior to the expiration of the agreement by theft or physical damage and the actual cash value or portion received by the lessor or creditor from insurance proceeds or from any other person on account of the total loss or destruction of the personal property.

(2) Gap insurance means insurance covering the gap amount that is payable upon the total loss of personal property, which is the subject of a lease or a loan or another credit transaction, occasioned by the theft of or physical damage to the property."

Renumber: subsequent sections

57. Page 98, lines 21 and 23.

Strike: "67" in 2 places

Insert: "66" in both places

Strike: "69" in 2 places

Insert: "72" in both places

58. Page 99, line 4.

Strike: "subsection (2)"

Insert: "subsections (2) and (3)"

59. Page 99, line 6.

Following: "4"

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Strike: "and 71 through 73"
Insert: ",31, 35, 68, and 72 through 74"

60. Page 99.

Following: line 7

Insert: "(3) [Section 36] is effective January 1, 2000."

And, as amended, do pass. Report adopted.

HB 572, introduced bill, be amended as follows:

2/19/1999

1. Title, line 7.

Following: "MADE"

Insert: "UNLESS THE PAYMENT WAS MADE IN THE PAY PERIOD IMMEDIATELY PRECEDING OR FOLLOWING THE LEAVE"

2. Page 1, line 21.

Page 2, line 17

Page 3, line 7

Page 4, line 10

Following: "made" in 4 places

Insert: "unless the payment was made in the pay period immediately preceding or following the leave" in 4 places

And, as amended, do pass. Report adopted.

HB 641, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "LIFE SAFETY"

Insert: "FIRE PROTECTION ASSOCIATION"

2. Page 1, line 30.

Strike: "chapter"

Insert: "publication NFPA"

Strike: "of the Life Safety Code"

And, as amended, do pass. Report adopted.

HJR 32, be adopted. Report adopted.

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

2/19/1999

HB 438, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "BE" on line 7

Strike: remainder of line 7 through "TRIBES" on line 8

Insert: "SPENT BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON PROJECTS"

2. Title, line 10.

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Following: "COUNCIL"
Strike: "ACCEPT AND"
Following: "DETERMINE THE"
Strike: "EXPENDITURE OF FUNDS"
Insert: "DISTRIBUTION OF STATE-FUNDED PROJECTS"

3. Title, line 11.
Strike: "ALLOCATED TO TRIBES"

4. Title, line 12.
Strike: "EXPENDITURES"
Insert: "PROJECTS"

5. Page 2, lines 1 and 2.
Following: "money" on line 1
Strike: remainder of line 1 through "Montana" on line 2

6. Page 2, line 4.
Strike: "allocate"
Insert: "expend"

7. Page 2, lines 4 and 5.
Following: "87-1-601(1)(b)" on line 4
Strike: remainder of line 4 through "[section 2]," on line 5

8. Page 2, line 5.
Following: "Montana"
Insert: "for eligible tribal wildlife and fish management programs, as recommended by the Native American natural resources council created in [section 2]"

9. Page 2, lines 5 and 6.
Following: "Money" on line 5
Strike: "allocated to"
Following: "spent by the department pursuant to the recommendations of"

10. Page 2, line 7.
Following: "expended"
Strike: "by the tribes"

11. Page 2, line 8.
Following: "through"
Strike: "4"
Insert: "5"

12. Page 2, line 12.
Following: "comprises"
Strike: "seven"
Insert: "nine"

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Following: "members"

Strike: ", "

Insert: "as follows: (a)"

Following: "each"

Strike: "tribe"

Insert: "of the seven tribes"

13. Page 2, line 13.

Following: "Montana"

Insert: "; (b) one indigenous, nonenrolled resident of a reservation, who shall reside continuously on a reservation during the term of office on the council, to be chosen by the tribal members of the Native American natural resources council; and

(c) one member who is a representative of the department"

Following: the first ". "

Insert: "(3)"

Following: "A"

Insert: "tribal"

Following: "member of"

Strike: "that"

Insert: "a"

14. Page 2, line 14.

Strike: "(3)"

Insert: "(4)"

Renumber: subsequent subsection

15. Page 2, line 17.

Following: "accepting"

Strike: "funds allocated to tribes"

Insert: "state-funded projects for tribal wildlife and fish management programs"

16. Page 2, line 18.

Following: "determining the"

Strike: "expenditure of those funds"

Insert: "distribution of projects"

17. Page 2, line 20.

Strike: "expenditures"

Insert: "projects"

Strike: "section"

Insert: "sections"

Following: "4"

Insert: "and 5"

18. Page 2, line 23.

Following: "shall"

Strike: "accept funds allocated"

Insert: "recommend projects for state funding"

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19. Page 2, line 24.

Following: "proportion of"

Strike: "funds is to be"

Insert: "projects are"

20. Page 3, line 6.

Following: "distribution"

Strike: "and expenditure of all money allocated to the council"

Insert: "of projects for which money is spent"

21. Page 3, line 8.

Following: "may not"

Strike: "allocate"

Insert: "spend"

22. Page 3, line 9.

Following: "money"

Strike: "to the council"

Insert: ", as provided in [section 1],"

23. Page 3, line 11.

Following: "may not"

Strike: "allocate any money to the council"

Insert: "spend money pursuant to [section 1]"

24. Page 3, line 13.

Following: "Money"

Strike: "allocated to the council"

Insert: "spent"

25. Page 3, line 15.

Following: "law."

Insert: "The department shall, pursuant to its authority in 87-1-703 and 87-1-709, enter into any necessary cooperative agreements with the Native American natural resources council, as the partnership representative of the individual tribes of Montana, for the purpose of carrying on tribal wildlife and fish restoration projects."

26. Page 3, line 16.

Following: "money"

Strike: "allocated to the council"

Insert: "spent pursuant to [section 1]"

29. Page 3, line 17.

Insert: "NEW SECTION. Section 5. Compliance and eligibility process. (1) All grant activities and costs of projects proposed by the Native American natural resources council must be submitted to the regional director of the United States fish and wildlife service for approval. Project documents must demonstrate compliance with all applicable federal laws and regulations. The Native American natural resources council may function as a subgrantee of the department for funding purposes. All fish and wildlife management activities conducted by the council must meet the same documentation requirements and other conditions as any other project submitted for funding under

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the federal aid program. Programs proposed for funding must conform to the eligibility process, project criteria, and compliance requirements for federal aid grants as contained in the federal aid handbook.

(2) The Native American natural resources council shall provide money as nonfederal matching funds to cover the percentage of project costs that are not reimbursible under the federal aid program.

(3) The Native American natural resources council shall employ a certified public accountant to maintain appropriate books and records related to the federal aid program and to prepare the annual accounting report required in [section 4].

(4) The Native American natural resources council shall employ a wildlife biologist to act as a compliance inspector on all tribal wildlife and fish management programs that are funded pursuant to the federal aid program."

Insert: "NEW SECTION. Section 6. Contingent voidness. If a federal court determines that the implementation of [sections 1 through 5] would cause Montana to be ineligible to participate in federal aid in wildlife and sport fish restoration programs, then [this act] is void."

Insert: "NEW SECTION. Section 7. 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

27. Page 3, line 21.

Following: "through"

Strike: "4"

Insert: "5"

28. Page 3, line 23.

Following: "through"

Strike: "4"

Insert: "5"

And, as amended, do pass. Report adopted.

HB 478, introduced bill, be amended as follows:

1. Page 1, line 17.

Strike: "7,500"

Insert: "8,500"

2. Page 1, line 19.

Strike: "applicant's"

Insert: "applicants"

3. Page 1, line 20.

Strike: "50%"

Insert: "30%"

And, as amended, do pass. Report adopted.

HB 548, introduced bill, be amended as follows:

1. Title, line 5.

Following: "WILDLIFE;"

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Insert: "PROVIDING DEFINITIONS OF "REINTRODUCTION" AND "RETRANSLOCATION";"

Following: "87-5-701,"

Insert: "87-5-702,"

2. Page 1, line 13.

Following: "for introduction"

Insert: ", unless in-state stocking and rearing sources are not available,"

3. Page 1.

Following: line 20

Insert: **Section 2.** Section 87-5-702, MCA, is amended to read:

"87-5-702. Definitions. For purposes of this part, the following definitions apply:

(1) "Feral" means the appearance in a natural habitat of an animal that has escaped domestication and become wild.

(2) "Importation" means the act of bringing into the state any wildlife.

(3) "Introduction" means the release of or attempt to release, intentional or otherwise, wildlife from outside the state into natural habitats of the state.

(4) "Natural habitat" means any area in which the introduction of wildlife species may result in an uncontrolled, naturally reproducing population of that species becoming established.

(5) "Reintroduction" means the restoration of species into habitats where the species historically existed or were historically introduced.

(6) "Reintroduction" means the placement of species into habitats where the species historically existed or were historically introduced.

~~(5)~~(7) "Transplantation" means the release of or attempt to release, intentional or otherwise, wildlife from one place within the state into natural habitats in another part of the state.

~~(6)~~(8) "Wildlife" means any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, or other wild animal or the egg or offspring thereof."

{Internal References to 87-5-702:

87-5-703*x 87-5-704x}"

Renumber: subsequent sections

4. Page 2, line 4.

Following: "in"

Insert: "87-5-714 and"

Following: "(2)"

Insert: "of this section"

5. Page 4, line 1.

Following: "department."

Insert: "This subsection does not apply to:

(a) introductions or transplantations of native species necessary for the restoration of species of concern;

(b) ponds and lakes in which fish are stocked by the department when the stocking is done to promote urban or family fishing if the fish do not pose a threat to native fish or to private ponds stocked with department approval if the fish do not pose a threat to native fish;

(c) turkey (Meleagris gallopavo)."

And, as amended, do pass. Report adopted.

HB 550, introduced bill, be amended as follows:

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1. Page 1, line 15.

Strike: "Seventy-five"

Insert: "Seventy"

2. Page 1, line 18.

Following: "improvements"

Insert: ", including transplantation of wild pheasants into areas where current populations are not sufficient to ensure that suitable habitat will be reoccupied"

3. Page 1, line 26.

Insert: "(3) Five percent of the amount of money specified in subsection (1) may be used by the department for expenses in administering the enhancement of upland game bird habitat."

And, as amended, do pass. Report adopted.

HB 564, do pass. Report adopted.

HB 586, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

2/19/1999

HB 560, introduced bill, be amended as follows:

1. Page 4, line 11.

Following: " _ "

Insert: "The commission may elect to offer to transfer the liability for and the maintenance of a highway to another agency or agencies that may in turn elect to take responsibility for the highway."

And, as amended, do pass. Report adopted.

HJR 29, be adopted. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/19/1999

HB 469, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

Strike: "AND" on line 4 through "OFFICEHOLDERS" on line 5

2. Title, page 1, line 6 through line 8.

Strike: "PROHIBITING" on line 6 through ";" on line 8

3. Title, page 1, line 9 through line 11.

Strike: "PROHIBITING" on line 9 through ";" on line 11

4. Page 2, line 3 through line 25.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

5. Page 2, line 28.

Strike: "penalty --"

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6. Page 2, line 29.

Strike: "written"

7. Page 3, line 3 through line 4.

Strike: subsection (3) in its entirety

Insert: "(3) A campaign sign placed in violation of subsection (1) or (2) may be removed and returned to the campaign treasurer identified pursuant to 13-35-225."

8. Page 3, line 11 through line 20.

Strike: subsection (d) in its entirety

9. Page 3, line 22 through page 4, line 4.

Strike: section 5 in its entirety

Renumber: subsequent sections

10. Page 4, line 8 and line 16.

Strike: "4" in both places

Insert: "2"

11. Page 4, line 20.

Strike: "(1) [Sections 2 and 3] are"

Insert: "[Section 2] is"

12. Page 4, line 22.

Strike: "[sections 2 and 3]"

Insert: "[section 2]"

13. Page 4, line 23 through line 24.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):

2/19/1999

HB 108, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "HOME OWNERS,"

Insert: "RESIDENTIAL AND CERTAIN COMMERCIAL PROPERTY AND"

2. Title, page 1, line 7.

Following: "THREE"

Strike: ", "

Insert: "AND"

Following: "FOUR"

Strike: the remainder of line 7 through "SCHOOLS" on line 8

3. Title, page 1, line 13.

Strike: "15-6-201,"

Following: "15-7-111,"

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Insert: "15-8-111, AND"

Strike: "AND 20-9-360,"

4. Page 1, lines 19 through 24.

Strike: section 1 in its entirety

Renumber: subsequent sections

5. Page 1, line 29.

Following: "(a)"

Insert: "except as provided in subsection (1)(f) or (1)(g),"

6. Page 1, line 30

Following: "(b)"

Insert: "except as provided in subsection (1)(f) or (1)(g),"

7. Page 2, lines 2 and 3

Strike: "after" on line 2 through "15-6-201(1)(z)," on line 3

Insert: "that exceeds the exemption amount described in subsection (2)(d)(i)"

8. Page 2, line 12.

Following: "yards;"

Strike: "and"

9. Page 2.

Following: line 15

Insert: "(f) single-family residences and appurtenant improvements, including trailers, manufactured homes, or mobile homes; the parcel of land upon which single-family residences and appurtenant improvements are situated; and leasehold improvements; and

(g) commercial buildings, including rental multifamily dwelling units, and the parcel of land upon which they are situated."

10. Page 2, line 18.

Strike: "3.25%"

Insert: "3.575%"

11. Page 3.

Following: line 11

Insert: "(d) Property described in subsection (1)(f) is taxed at 3.575% of:

(i) 40% of the first \$300,000 or less of market value of the property; and

(ii) 100% of the market value of the property in excess of \$300,000 of market value.

(e) Property described in subsection (1)(g) is taxed at 3.575% of:

(i) 20% of the first \$200,000 or less of market value of the property; and

(ii) 100% of the market value of the property in excess of \$200,000 of market value."

12. Page 3, line 17 through page 6, line 26.

Strike: section 3 in its entirety

Renumber: subsequent sections

13. Page 9.

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Following: line 19

Insert: "Section 4. Section 15-8-111, MCA, is amended to read:

"**15-8-111. Assessment -- market value standard -- exceptions.** (1) All taxable property must be assessed at 100% of its market value except as otherwise provided.

(2) (a) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(b) If the department uses construction cost as one approximation of market value, the department shall fully consider reduction in value caused by depreciation, whether through physical depreciation, functional obsolescence, or economic obsolescence.

(c) Except as provided in subsection (3), the market value of special mobile equipment and agricultural tools, implements, and machinery is the average wholesale value shown in national appraisal guides and manuals or the value before reconditioning and profit margin. The department shall prepare valuation schedules showing the average wholesale value when a national appraisal guide does not exist.

(3) The department may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property, except:

(a) the wholesale value for agricultural implements and machinery is the average wholesale value category as shown in Guides 2000, Northwest Region Official Guide, published by the North American equipment dealers association, St. Louis, Missouri. If the guide or the average wholesale value category is unavailable, the department shall use a comparable publication or wholesale value category.

(b) for agricultural implements and machinery not listed in an official guide, the department shall prepare a supplemental manual in which the values reflect the same depreciation as those found in the official guide; and

(c) as otherwise authorized in Titles 15 and 61.

(4) For purposes of taxation, assessed value is the same as appraised value, except as otherwise provided in this section.

(5) The taxable value for all property is the percentage of market or assessed value established for each class of property.

(6) The assessed value of properties in 15-6-131 through ~~15-6-133~~ 15-6-134 and 15-6-143 is as follows:

(a) Properties in 15-6-131, under class one, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503 or, if applicable, as provided in 15-23-515, 15-23-516, 15-23-517, or 15-23-518.

(b) Properties in 15-6-132, under class two, are assessed at 100% of the annual gross proceeds.

(c) Properties in 15-6-133, under class three, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

(d) (i) Property described in 15-6-134(1)(f) is assessed as follows:

(A) 40% of the first \$300,000 or less of market value of the property; and

(B) 100% of the market value of the property in excess of \$300,000 of market value.

(ii) Property described in 15-6-134(1)(g) is assessed as follows:

(A) 20% of the first \$200,000 or less of market value of the property; and

(B) 100% of the market value of the property in excess of \$200,000 of market value.

(e) Properties in 15-6-143, under class ten, are assessed at 100% of the forest productivity value of the land when valued as forest land.

(7) Land and the improvements on the land are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town." "

Renumber: subsequent sections

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14. Page 9, line 24.

Following: "dollar amount"

Insert: "or the number of mills"

15. Page 9, line 25.

Strike: "1997"

Insert: "1998"

16. Page 10, line 1.

Strike: "construction, expansion, or remodeling of"

Insert: "property"

Following: "improvements"

Insert: "or personal property being moved into the geographic area subject to the governmental unit"

17. Page 13, line 16.

Following: "dollar amount"

Insert: "or the number of mills"

18. Page 13, line 17.

Strike: "1996"

Insert: "1998"

19. Page 14, line 10.

Strike: "If"

Insert: "Except as provided in subsection (5)(d), if"

20. Page 14, line 11.

Strike: "1996"

Insert: "1998"

Following: "year"

Insert: "by 5% or less"

21. Page 14.

Following: line 23

Insert: "(d) If a taxing unit's taxable valuation decreases by more than 5% in any year, it may levy additional mills if the voters in the taxing unit approve an increase in tax liability."

22. Page 15, line 11 through page 16, line 5.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

23. Page 17, line 2 through line 7.

Strike: section 8 in its entirety

Renumber: subsequent sections

24. Page 17, line 10.

Strike: "6"

Insert: "5"

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25. Page 17, line 11.

Strike: "11(2)"

Insert: "9(2)"

26. Page 17, line 16.

Strike: "7"

Insert: "6"

27. Page 17, line 21.

Strike: "6"

Insert: "5"

28. Page 17, line 24.

Strike: "7"

Insert: "6"

And, as amended, do pass. Report adopted.

SB 200, be amended as follows:

1. Title, line 7.

Strike: "BY" through "INVESTMENT"

2. Title, lines 9 through 11.

Following: line 8

Strike: line 9 through ";" on line 11

Insert: "PROVIDING PROGRESSIVE EXEMPTION FROM TAXATION OF CLASS EIGHT PROPERTY;"

3. Title, line 16 through 18.

Following: ";" on line 16

Strike: remainder of line 16 through "PROGRAMS;" on line 18

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

4. Title, line 20.

Strike: "15-30-121,"

Insert: "17-7-502,"

5. Title, line 21.

Following: "15-6-136,"

Insert: "15-6-138,"

6. Page 2, lines 2 through 5.

Strike: "(a)" on line 2 through "." on line 5

Renumber: subsequent subsections

7. Page 2, lines 6, 9, 14, 18, 21.

Strike: "local government"

8. Page 2, line 7.

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Strike: "(2)(c)"

Insert: "(2)(b)"

9. Page 2, line 26.

Strike: "local"

10. Page 2, line 28.

Strike: "(2)(f)"

Insert: "(2)(e)"

11. Page 2, line 29.

Strike: "local government tax"

Insert: "taxing"

12. Page 3, line 2.

Strike: "under subsection (2)(a) multiplied by four"

Insert: "by multiplying the 1998 taxable value by the 1998 mill levy"

13. Page 3, line 11.

Following: "(5)"

Insert: "(a)"

14. Page 3, line 12.

Following: "city,"

Insert: "consolidated county and city government,"

15. Page 3, line 13.

Following: the first "district,"

Insert: "community college district,"

Following: "financing district,"

Insert: "and"

Strike: ", and the state of Montana"

Following: "."

Insert: "The term includes countywide mills levied for equalization of retirement or transportation.

(b) The term does not include county or state school equalization levies provided for in 20-9-331, 20-9-333, and 20-9-360 or the 6-mill university levy. It also does not include any state levy for welfare programs provided for in 53-2-813."

16. Page 3, line 22.

Following: "the"

Insert: "taxing"

17. Page 3.

Following: line 22

Insert: "(7) The amounts necessary for the administration of this section are statutorily appropriated, as provided in 17-7-502, from the general fund to reimburse eligible taxing jurisdictions for reductions in tax rates on business personal property."

18. Page 4, line 8.

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Following: "barley facilities"
Insert: "-- class eight property"

19. Page 4, line 10.

Following: " ;"
Strike: "and"

20. Page 4, line 11.

Following: "facility"

Insert: "; and (c) the following amount of class eight property, for each taxpayer by county, as provided in 15-6-138:
(i) \$15,000 for tax year 2000;
(ii) \$40,000 for tax year 2001;
(iii) \$100,000 for tax year 2002; and
(iv) \$500,000 for tax year 2003"

21. Page 4, line 20 through page 10, line 21.

Strike: sections 3 through 10 in their entirety
Renumber: subsequent sections

22. Page 10, line 30.

Following: "39%"

Insert: ", and an additional 20% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39%"

23. Page 11, line 2.

Following: "39%"

Insert: ", and an additional 40% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39%"

24. Page 11, line 4.

Following: "39%"

Insert: ", and an additional 60% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39%"

Strike: "and"

25. Page 11, line 7.

Following: "39%"

Insert: ", and an additional 80% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39%; and

(e) for bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the local government for tax year 1999, in each case of former class eight property, multiplied by 39%"

26. Page 12, line 8.

Following: "23%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%"

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27. Page 12, line 10.

Following: "23%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%"

28. Page 12, line 12.

Following: "23%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%"

Strike: "and"

29. Page 12, line 15.

Following: "23%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%; and

(g) for indebtedness to be incurred during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 23%"

30. Page 13, line 6.

Following: "11.25%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

31. Page 13, line 8.

Following: "11.25%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

32. Page 13, line 10.

Following: "11.25%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

Strike: "and"

33. Page 13, line 13.

Following: "11.25%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%; and

(g) for general obligation bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 11.25%"

34. Page 14, line 9.

Following: "11.25%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

35. Page 14, line 11.

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Following: "11.25%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

36. Page 14, line 13.

Following: "11.25%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

Strike: "and"

37. Page 14, line 16.

Following: "11.25%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%; and

(f) for fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 11.25%"

38. Page 15, line 22.

Following: "13%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%"

39. Page 15, line 24.

Following: "13%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%"

40. Page 15, line 25.

Strike: "2001"

Insert: "2002"

Strike: "50%"

Insert: "75%"

41. Page 15, line 26.

Following: "13%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%"

Strike: "and"

42. Page 15, line 27.

Strike: "2002"

Insert: "2003"

43. Page 15, line 29.

Following: "13%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%; and

(vi) for fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class

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eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 13%"

44. Page 22, line 21.

Strike: "and"

45. Page 22, line 28.

Following: "basis"

Insert: "; (aa) all agricultural implements and equipment;

(bb) all mining machinery, fixtures, equipment, tools that are not exempt under 15-6-201(1)(r), and supplies except those included in class five;

(cc) all manufacturing machinery, fixtures, equipment, tools that are not exempt under 15-6-201(1)(r), and supplies except those included in class five;

(dd) all goods and equipment that are intended for rent or lease, except goods and equipment that are specifically included and taxed in another class;

(ee) special mobile equipment as defined in 61-1-104;

(ff) furniture, fixtures, and equipment, except that specifically included in another class, used in commercial establishments as defined in this section;

(gg) x-ray and medical and dental equipment;

(hh) citizens' band radios and mobile telephones;

(ii) radio and television broadcasting and transmitting equipment;

(jj) cable television systems;

(kk) coal and ore haulers; and

(ll) theater projectors and sound equipment"

46. Page 27, line 14 through page 30, line 11.

Strike: section 28 in its entirety

Insert: "**Section 20.** Section 17-7-502, MCA, is amended to read:

"17-7-502. (Temporary) Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; [section 1]; [section 24]; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-406; 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 20-8-107; 20-8-111; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-131; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-161; 85-20-402; 87-1-513; 90-3-301; 90-4-215; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments.

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(In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; pursuant to sec. 7(2), Ch. 29, L. 1995, the inclusion of 15-30-195 terminates July 1, 2001; pursuant to sec. 5, Ch. 461, L. 1997, the inclusion of 77-1-131 terminates October 1, 2003; and pursuant to secs. 13, 16(1), Ch. 549, L. 1997, the inclusion of 90-3-301 terminates July 1, 1999.)

17-7-502. (Effective July 1, 2008) Statutory appropriations -- definition -- requisites for validity. (1)

A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; [section 1]; [section 2]; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; [16-1-406;] 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-5-404; 17-5-804; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-205; 19-19-305; 19-19-506; 20-8-107; 20-9-361; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 32-1-537; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 50-5-232; 50-40-206; 53-6-150; 53-6-703; 53-24-206; 60-2-220; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402; 87-1-513; 90-4-215; 90-6-331; 90-7-220; 90-7-221; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 68(2), Ch. 422, L. 1997, this version becomes effective July 1, 2008.)"

47. Page 30, line 26.

Strike: "1999"

Insert: "2000"

48. Page 30, line 27.

Following: "45%"

Insert: ", and an additional 20% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%"

49. Page 30, line 28.

Strike: "2000"

Insert: "2001"

50. Page 30, line 29.

Following: "45%"

Insert: ", and an additional 40% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%"

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51. Page 30, line 30.

Strike: "2001"

Insert: "2002"

52. Page 31, line 1.

Following: "45%"

Insert: ", and an additional 60% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%"

Strike: "and"

53. Page 31, line 2.

Strike: "2002"

Insert: "2003"

54. Page 31, line 4.

Following: "45%"

Insert: ", and an additional 80% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%; and

(vi) for bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the district for tax year 1999, in each case of former class eight property, multiplied by 45%"

55. Page 31, line 16.

Strike: "1999"

Insert: "2000"

56. Page 31, line 17.

Following: "90%"

Insert: ", and an additional 20% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%"

57. Page 31, line 18.

Strike: "2000"

Insert: "2001"

58. Page 31, line 19.

Following: "90%"

Insert: ", and an additional 40% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%"

59. Page 31, line 20.

Strike: "2001"

Insert: "2002"

60. Page 31, line 21.

Following: "90%"

Insert: ", and an additional 60% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%"

Strike: "and"

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61. Page 31, line 22.

Strike: "2002"

Insert: "2003"

62. Page 31, line 24.

Following: "90%"

Insert: ", and an additional 80% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%; and

(vi) for bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the district for tax year 1999, in each case of former class eight property, multiplied by 90%"

63. Page 34, lines 4 through 15.

Strike: section 32 in its entirety

Insert: "NEW SECTION. Section 24. Reimbursement for class eight exemption. (1) Except as otherwise provided in this section, a local government taxing jurisdiction must be reimbursed for losses of revenue due the progressive tax exemption granted by this section.

(2) On or before June 1 of each tax year, the department of revenue shall determine a reimbursement amount associated with the loss in revenue caused by the exemption of class eight property and provide that information to each county treasurer. The department of revenue shall determine the reimbursement amount for each local government taxing jurisdiction that levied mills on the taxable value of property described in 15-6-138 in the corresponding tax year. However, the reimbursement does not apply to property described in 15-6-138 that has a reduced tax rate under 15-24-1402.

(3) (a) The department shall calculate the reimbursement amount for each year by subtracting the estimated class eight revenue collections for the corresponding tax year from the total class eight revenue collected by a local government taxing jurisdiction for the 1999 tax year.

(b) The estimated class eight revenue collections of a local government taxing jurisdiction for any given tax year are calculated as follows:

(i) For each taxpayer who reported class eight property in the local government taxing jurisdiction for the 1999 tax year, subtract the taxpayer's progressive exemption applicable to the corresponding tax year from the total market value of class eight property reported in the local government taxing jurisdiction during the 1999 tax year.

(ii) Multiply the amount determined in subsection (3)(b)(i) by the tax rate of 6% and the mills levied by the local government taxing jurisdiction for the 1999 tax year.

(iii) If a taxpayer owns or possesses class eight property in more than one local government taxing jurisdiction that imposes similar mills, for instance in two elementary school districts, the taxpayer's exemption must be allocated among the similar taxing jurisdictions in proportion to the market value of the property present in each taxing jurisdiction when determining the amount in subsection (3)(b)(i).

(4) (a) For purposes of this section, "local government taxing jurisdiction" has the same meaning as provided in 15-1-112, but does not include tax increment financing districts.

(b) Tax increment financing districts may not receive a reimbursement under this section.

(c) The county treasurer shall use any reimbursement funds received under this section to reimburse each local government taxing jurisdiction in the amount determined by the department under subsection (2). The reimbursement must be distributed to funds within local government taxing jurisdictions in the same manner as taxes on property described in 15-6-138 are distributed.

(d) Each local government taxing jurisdiction receiving reimbursements shall consider the amount of reimbursement that will be received and lower the mill levy otherwise necessary to fund the budget by the amount that would otherwise have to be raised by the mill levy.

(5) A local government taxing jurisdiction that ceases to exist after December 31, 1999, will no longer be considered for revenue loss or reimbursement purposes. A local government taxing jurisdiction that is created after

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January 1, 2000, will not be considered for revenue loss or reimbursement purposes. If a local government taxing jurisdiction that existed prior to January 2000 is split between two or more taxing jurisdictions or is annexed to or is consolidated with another taxing jurisdiction, the department shall determine how much of the revenue loss and reimbursement is attributed to the new jurisdictions.

(6) The reimbursement in this section is statutorily appropriated as provided in 17-7-502."

64. Page 34, line 17.

Following: "Repealer."

Insert: "(1)"

65. Page 34, line 19.

Insert: "(2) Section 15-6-138, MCA, is repealed."

66. Page 34, line 20.

Strike: "instructions"

Insert: "instruction"

Strike: "(1)"

Strike: "Section"

Insert: "Sections"

Following: "1"

Insert: "and 24"

Strike: "is"

Insert: "are"

67. Page 34, line 22.

Strike: "section"

Insert: "sections"

Following: "1"

Insert: "and 24"

68. Page 34, lines 23 through 30.

Strike: subsections (2) through (4) in their entirety

69. Page 35, line 11.

Strike: "4, 11"

70. Page 35, line 12.

Strike: "17" through "36"

Insert: "9, 11, 20, 21, 26 through 28, and 30"

71. Page 35, line 13.

Strike: "[Sections ~~6~~ 5 through ~~11~~ 10]"

Insert: "[Sections 2(1)(c) and 24]"

72. Page 35, line 14.

Strike: "[Sections" through "33]"

Insert: "[Sections 2(1)(a), (1)(b), (2), and (3), 10, 12(1)(z), 13 through 19, 22, 23, and 25(1)]"

73. Page 35, line 16.

Insert: "(4) [Sections 12(1)(aa) through (1)(ll) and 25(2)] are effective January 1, 2004."

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74. Page 35, line 17.

Strike: "(1)"

Strike: "19"

Insert: "11"

75. Page 35, lines 19 through 24.

Strike: subsections (2) through (5) in their entirety

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

SB 260, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/18/1999

SB 153, introduced by Halligan

SB 224, introduced by Keating

SB 241, introduced by Doherty

SB 251, introduced by Halligan

SB 314, introduced by Grimes

SB 362, introduced by Keating

House bill concurred in and returned to the House:

2/18/1999

HB 3, introduced by Zook

MESSAGES FROM THE GOVERNOR

February 17, 1999

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed **House Bill 29** sponsored by Representative Ohs, **House Bill 30** sponsored by Representative Peck, **House Bill 35** sponsored by Representative Ahner, **House Bill 51** sponsored by Representative Harper, and **House Bill 80** sponsored by Representative Cobb on February 17, 1999.

Sincerely,

MARC RACICOT
Governor

February 18, 1999

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed **House Bill 254** sponsored by Representative Somerville and **House Bill 284** sponsored by Representative Story et al. on February 18, 1999.

Sincerely,

MARC RACICOT
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 644, introduced by L. Taylor, M. Cole, referred to Appropriations.

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 130 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Adams, Jore.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 314 passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: J. Andersen, Barnett, Brown, E. Clark, Curtiss, Haines, Hanson, Hedges, Kasten, Kitzenberg, Pavlovich, Rose, Smith, Taylor, Witt.
Total 15

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 326 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Hagener, Peck.
Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Rose.
Total 1

HB 444 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E.

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Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Kasten, Orr, Rehbein.

Total 7

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

HB 458 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore, Smith.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Witt.

Total 1

HB 482 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan,

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Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Jore, Molnar, Orr, Rehbein, Vick.

Total 10

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 485 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gillan, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 71

Noes: Barnhart, Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lenhart, Mangan, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Swanson, Williams, Wyatt.

Total 27

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Adams, S. Anderson.

Total 2

HB 486 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Kasten, Kitzenberg, Masolo, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

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Noes: Adams, Barnhart, Beck, P. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Molnar, Orr, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Vick, Wagner, Williams, Wyatt.

Total 45

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 487 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, P. Bergsagel, Bookout-Reinicke, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Hurdle, Jore, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCulloch, Molnar, Orr, Peck, Raney, Smith, Vick, Wagner, Wyatt.

Total 31

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: Adams, Fisher, Harrington.

Total 3

HB 488 passed as follows:

Ayes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Ewer, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hibbard, Hurdle, Jackson, Jore, Juneau, Kitzenberg, Lawson, Lenhart, Mangan, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Wyatt, Mr. Speaker.

Total 69

Noes: Ahner, S. Anderson, Barnett, Buzzas, Dell, Erickson, Facey, Galvin-Halcro, Gillan, Hagener, Hedges, Holden, Johnson, Kasten, Krenzler, Lindeen, Masolo, Matthews, McCann, Ohs, Rehbein, Rose, Smith, Soft,

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Swanson, Tash, Taylor, Tuss, Williams, Younkin, Zook.
Total 31

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 528 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 74

Noes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, R. Clark, Davies, Hanson, Jackson, Jore, Kasten, Lawson, Masolo, McKenney, Mood, Orr, Peck, Rehbein, Shockley, Sliter, Story, Vick, Wagner, Walters.
Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HB 533 passed as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Mood, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 69

Noes: Adams, Ahner, J. Andersen, E. Bergsagel, P. Bergsagel, Brown, Davies, Hanson, Hibbard, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Noennig, Orr, Peck, Rehbein, Rose, Shockley, Smith, Story, Stovall, Taylor, Trexler, Vick, Wagner, Zook.
Total 31

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Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 534 passed as follows:

Ayes: Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 76

Noes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Davies, Hanson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Orr, Rehbein, Shockley, Story, Stovall, Taylor, Trexler, Vick, Walters.
Total 23

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Clark.
Total 1

HB 539 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Ewer, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Zook, Mr. Speaker.
Total 72

Noes: Adams, Barnhart, Buzzas, Curtiss, Davies, Erickson, Facey, Galvin-Halcro, Golie, Gutsche, Harper, Hurdle, Johnson, Jore, Kasten, Mangan, McCulloch, Noennig, Orr, Peck, Rehbein, Ryan, Smith, Story, Taylor, Wyatt.
Total 26

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

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Absent or not voting: E. Clark, Witt.
Total 2

HB 551 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Adams, Davies, Jore, Orr, Rehbein, Vick.
Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 557 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Brainard, McGee.
Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Hedges.
Total 1

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HB 583 passed as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, S. Anderson, Barnett, P. Bergsagel, Bitney, Brainard, Brown, Curtiss, Fisher, Hanson, Holden, Johnson, Jore, Kasten, Krenzler, Lawson, McCann, Orr, Shockley, Smith, Vick, Wagner, Walters.

Total 23

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 584 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, Orr, Story.

Total 3

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Lenhart.

Total 1

HJ 22 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Total 95

Noes: Jore, Molnar, Orr, Squires, Vick.
Total 5

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved that the house stand at recess for the purpose of party caucuses until 10:15 a.m.
Motion carried.

House reconvened at 10:15 a.m.

Roll Call. All members present except Representatives Dale and Molnar. Quorum present.

Speaker Mercer introduced the pages of the week:

Kim Kuntz, Great Falls
Andrew Gran, Polson
Mary Keck, Shelby
Carly Meznarich, Cut Bank
Katie Newell, Missoula
Grace Peterson, Whitefish
Casie Sigouin, Helena
Karla Steppler, Lambert
Nick McKenney, Great Falls

After being introduced by Speaker Mercer, the Rocky Mountain Preschool performed a song under the direction of Janette Thomas, Shirly Williams, and Danny Lewis. In honor of Random Acts of Kindness Week the children handed out treats to the legislators.

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

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the chair.

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

HB 443 - Representative Bookout-Reinicke moved **HB 443** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 63

Noes: Adams, Ahner, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Davies, Fuchs, Grinde, Hanson, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Noennig, Orr, Rehbein, Rose, Simon, Sliter, Soft, Story, Taylor, Vick, Wagner.

Total 31

Excused: Dale, Molnar.

Total 2

Absent or not voting: Fisher, Golie, Jackson, Mr. Speaker.

Total 4

HB 598 - Representative Quilici moved **HB 598** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: S. Anderson, E. Clark, Mood, Ohs.

Total 4

HB 567 - Representative Noennig moved **HB 567** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: E. Bergsagel, Cobb, Curtiss, Vick.

Total 4

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Fuchs, Hibbard.

Total 2

HB 617 - Representative Ohs moved **HB 617** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Galvin-Halcro, Hurdle, Smith.

Total 3

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett, Williams.

Total 2

HB 188 - Representative Tuss moved **HB 188** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines,

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Total 93

Noes: Adams, P. Bergsagel, Jore, McGee, Orr, Vick, Wagner.
Total 7

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 432 - Representative Tuss moved **HB 432** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Jore, Kasten, McGee, Orr, Rehbein, Story, Vick, Wagner.
Total 12

Voted Absentee: Dale, Aye.

Excused: Molnar.
Total 1

Absent or not voting: None.
Total 0

HB 342 - Representative Raney moved **HB 342** do pass. Motion carried as follows:

Ayes: Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 85

Noes: Adams, Ahner, P. Bergsagel, Brown, Grinde, Haines, Hanson, Jackson, Jore, McGee, Sliter, Taylor, Vick, Wagner.

Total 14

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: R. Clark.

Total 1

HB 431 - Representative Grinde moved consideration of **HB 431** be placed at the bottom of the second reading board. Motion carried.

HB 468 - Representative Grinde moved consideration of **HB 468** be placed below **HB 115** on the second reading board. Motion carried.

HB 490 - Representative Anderson moved **HB 490** do pass. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Jackson, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: P. Bergsagel, P. Clark, Cobb, Davies, Ewer, Facey, Galvin-Halcro, Grinde, Gutsche, Holden, Hurdle, Johnson, Jore, Krenzler, Lawson, McCulloch, Orr, Peck, Raney, Rehbein, Schmidt, Shockley, Sliter, Story, Vick, Wyatt.

Total 26

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ahner, Bookout-Reinicke.

Total 2

HB 580 - Representative Schmidt moved **HB 580** do pass. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg,

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Total 93

Noes: P. Bergsagel, Jore, McGee, Orr, Tuss, Zook.

Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ahner.

Total 1

HB 476 - Representative Johnson moved **HB 476** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, Jore, Orr, Peck, Rehbein, Vick, Wagner, Williams.

Total 9

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: McCann.

Total 1

HJR 11 - Representative Curtiss moved **HJR 11** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Ewer, Facey, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

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Total 84

Noes: Buzzas, Eggers, Erickson, Galvin-Halcro, Gillan, Hagener, Hurdle, Mangan, Molnar, Peck, Ryan, Schmidt, Smith, Tropila, Tuss, Wyatt.

Total 16

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 28 - Representative Grinde moved consideration of **HJR 28** be passed for the day. Motion carried.

HB 115 - Representative McGee moved **HB 115** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 468 - Representative Brainard moved **HB 468** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor,

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Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, Molnar.
Total 2

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Quilici.
Total 1

HB 501 - Representative Grinde moved consideration of **HB 501** be placed below **HB 578** on the second reading board. Motion carried.

HB 429 - Representative Shockley moved **HB 429** do pass.

HB 429 - Representative Shockley moved **HB 429**, second reading copy, be amended as follows :

1. Title, page 1, line 6.

Strike: "NONCONSUMPTIVE,"

2. Page 1, line 27.

Following: "76HH"

Insert: "."

3. Page 1, line 28 through line 30.

Strike: subsection (D) in its entirety

4. Page 2, line 5.

Strike: "A NONCONSUMPTIVE USE OR FOR"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Curtiss, Davies, Eggers, Facey, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 58

Noes: Adams, Barnett, Barnhart, Brown, Buzzas, P. Clark, Dell, Erickson, Ewer, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Holden, Hurdle, Johnson, Jore, Krenzler, Mangan, Masolo, Orr, Rehbein, Rose, Schmidt, Story, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt.
Total 34

Excused: Dale, Molnar.

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Total 2

Absent or not voting: Cobb, Gallus, Harrington, Menahan, Peck, Squires.

Total 6

Motion that **HB 429**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 96

Noes: Jore, Rehbein.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Hurdle, Mr. Speaker.

Total 2

HB 244 - Representative Facey moved **HB 244** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.

Total 82

Noes: Adams, P. Bergsagel, Brown, Holden, Jore, Masolo, McCann, Molnar, Mood, Orr, Smith, Vick, Wagner, Walters.

Total 14

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: Gallus, Krenzler, Menahan, Mr. Speaker.

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Total 4

HB 608 - Representative Somerville moved **HB 608** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dale, Dell, Eggers, Ewer, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 72

Noes: Adams, E. Bergsagel, Brainard, R. Clark, Curtiss, Davies, Erickson, Facey, Fisher, Grinde, Holden, Jackson, Jore, Kasten, Lawson, McCann, McGee, Orr, Rehbein, Story, Stovall, Vick, Wagner, Walters, Zook.

Total 25

Voted Absentee: Dale, Aye.

Excused: Molnar.

Total 1

Absent or not voting: Barnhart, Cobb.

Total 2

HB 504 - Representative Ohs moved **HB 504** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 39

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Tropila assumed the chair.

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HB 399 - Representative Guggenheim moved **HB 399** do pass.

HB 399 - Representative Guggenheim moved **HB 399**, second reading copy, be amended as follows :

1. Title, lines 6 and 7.

Strike: "PROVIDING" on line 6 through "BOARD:" on line 7

2. Page 2, line 24.

Following: "PHYSICIAN"

Insert: "or other health care provider"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Jackson, Jore, Thomas.

Total 3

Excused: Dale, Molnar.

Total 2

Absent or not voting: Bitney, Fuchs, Tuss.

Total 3

Motion that **HB 399**, as amended, do pass carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 67

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, R. Clark, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Simon, Sliter, Story, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt.

Total 30

Voted Absentee: Molnar, No.

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Excused: Dale.
Total 1

Absent or not voting: E. Clark, Cobb.
Total 2

Representative Pavlovich reassumed the chair.

HB 494 - Representative Squires moved **HB 494** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, R. Clark, Davies, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Orr, Rehbein, Somerville, Story, Taylor, Vick, Wagner, Walters.
Total 20

Voted Absentee: Molnar, No.

Excused: Dale.
Total 1

Absent or not voting: Younkin.
Total 1

HB 578 - Representative Anderson moved **HB 578** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Galvin-Halcro, Jore, McCulloch, Walters, Wyatt.
Total 6

Voted Absentee: Molnar, Aye.

Excused: Dale.

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Total 1

Absent or not voting: Dell.

Total 1

HB 501 - Representative Ohs moved **HB 501** do pass.

HB 501 - Representative Ohs moved **HB 501**, second reading copy, be amended as follows :

1. Page 9, line 21.

Strike: "and"

Insert: ", "

Following: "welfare"

Insert: "effect on public health, safety, and welfare and the agency's or program's"

2. Page 10, line 22.

Following: "welfare"

Strike: "its"

Insert: "public health, safety, and welfare and the agency's or program's"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Jore, Orr, Rehbein, Vick.

Total 5

Excused: Dale, Molnar.

Total 2

Absent or not voting: Fuchs, Grinde, Sliter.

Total 3

HB 501 - Representative Ewer moved **HB 501**, second reading copy, be further amended as follows :

1. Page 3, lines 27 through 30.

Strike: subsection (f) in its entirety

2. Page 8, lines 28 through 30.

Following: "managers," on line 28

Insert: "and"

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Following: "large" on line 29

Strike: remainder of line 29 through "program" on line 30

3. Page 8, line 30.

Following: ".₁"

Insert: "and"

4. Page 9, lines 1 through 9.

Strike: subsection (8) in its entirety

Renumber: subsequent subsection

5. Page 9, line 24.

Following: ".₁"

Insert: "and"

6. Page 9, lines 25 through 28.

Strike: ".₁" on line 25 through ".₁" on line 28

Insert: "."

Amendment failed as follows:

Ayes: Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 42

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Excused: Dale, Molnar.

Total 2

Absent or not voting: None.

Total 0

HB 501 - Representative Swanson moved **HB 501**, second reading copy, be further amended as follows :

1. Page 4, line 21.

Following: line 20

Insert: "(a) tourism promotion program provided for in 15-65-121;"

Renumber: subsequent subsections

2. Page 7, line 20.

Strike: line 20 in its entirety

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Renumber: subsequent subsections

HB 501 - Representative Swanson moved the amendment be divided. Thereupon, the amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Barnett, R. Clark, Grinde, McKenney, Vick, Witt.

Total 6

Excused: Dale, Molnar.

Total 2

Absent or not voting: Bitney, Orr.

Total 2

Motion that **HB 501**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Mangan, Matthews, McCulloch, Menahan, Peck, Ryan, Schmidt, Smith, Squires, Tuss, Williams, Wyatt.

Total 31

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 625 - Representative Bergsagel moved **HB 625** do pass.

HB 625 - Representative Mangan moved **HB 625**, second reading copy, be amended as follows:

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1. Page 2, line 28.

Strike: subsection (2) in its entirety

ReNUMBER: subsequent subsections

2. Page 3, line 2.

Following: "family;"

Insert: "and"

3. Page 3, line 3 through line 4.

Strike: subsection (6) in its entirety

ReNUMBER: subsequent subsections

4. Page 3, line 5.

Strike: ";"

Insert: "."

5. Page 3, line 6 through line 9.

Strike: subsections (8) and (9) in their entirety

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 39

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 58

Excused: Dale, Molnar.

Total 2

Absent or not voting: Menahan.

Total 1

HB 625 - Representative Mangan moved **HB 625**, second reading copy, be amended as follows :

1. Page 3, line 26.

Following: "[section 4]"

Insert: "if appropriate data is available"

Amendment passed as follows:

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Ayes: Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Jackson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Squires, Stovall, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt, Zook, Mr. Speaker.
Total 57

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, R. Clark, Curtiss, Davies, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Johnson, Jore, Kasten, Kitzenberg, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Simon, Sliter, Soft, Somerville, Story, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt, Younkin.
Total 41

Excused: Dale, Molnar.
Total 2

Absent or not voting: None.
Total 0

Motion that **HB 625**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 64

Noes: Barnhart, Beck, Buzzas, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Mangan, Matthews, McCulloch, McKenney, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 35

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Hedges.
Total 1

HB 59 - Representative Mood moved **HB 59** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar,

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Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Ewer, Gallus, Harrington, Hurdle, Tuss.

Total 5

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Buzzas.

Total 1

HB 345 - Representative Raney moved **HB 345** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 92

Noes: Adams, Barnett, Fisher, Hanson, Jore, Orr.

Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ohs, Mr. Speaker.

Total 2

HB 566 - Representative Brainard moved **HB 566** do pass.

HB 566 - Representative Clark moved **HB 566**, second reading copy, be amended as follows :

1. Title, line 8.

Following: ".,"

Insert: "RESERVING TO THE STATE THE GOVERNMENTAL RIGHT TO SUE FIREARMS AND AMMUNITION MANUFACTURERS, TRADE ASSOCIATIONS, AND DEALERS TO THE STATE IN CERTAIN TYPES OF CASES;"

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2. Page 2, line 23

Insert: "NEW SECTION. Section 2. Governmental right to sue firearms or ammunition manufacturer, trade association, or dealer in tort or for abatement or injunctive relief. The governmental right to bring suit against a firearms or ammunition manufacturer, trade association, or dealer for abatement, injunctive relief, or tort damages resulting from or relating to the design, manufacture, marketing, or sale of firearms or ammunition sold to the public is reserved exclusively to the state and may not be exercised by a local governmental unit. The state may sue under this section on its own behalf or on behalf of a local governmental unit, or both."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, McKenney, Mood, Ohs, Orr, Pavlovich, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 54

Noes: J. Andersen, Barnhart, Buzzas, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Menahan, Noennig, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Witt, Wyatt.

Total 42

Excused: Dale, Molnar.

Total 2

Absent or not voting: McCulloch, Rehbein.

Total 2

Motion that **HB 566**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Buzzas, Dell, Erickson, Ewer, Galvin-Halcro, Gutsche, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Mangan, McCann, Noennig, Peck, Raney, Smith, Soft, Tropila, Tuss, Williams, Wyatt.

Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

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Total 0

Absent or not voting: Swanson.

Total 1

HB 577 - Representative Story moved **HB 577** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Barnhart, P. Bergsagel, Davies, Jore, Kasten, Krenzler, McGee, Molnar, Orr, Peck, Rehbein, Vick, Wagner.

Total 13

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 499 - Representative Harper moved **HB 499** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 72

Noes: Adams, Barnett, P. Bergsagel, Davies, Golie, Grinde, Hanson, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Lenhart, Molnar, Orr, Peck, Rehbein, Sliter, Smith, Story, Vick, Wagner, Walters, Zook.

Total 25

Voted Absentee: Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: Ahner, Bitney.

Total 2

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HB 620 - Representative Tuss moved **HB 620** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, aney, ose, yan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, Barnhart, P. Bergsagel, Davies, Eggers, Ewer, Hurdle, Jackson, Jore, Krenzler, Lindeen, McGee, Molnar, Orr, Rehbein, Story, Tash, Vick, Wagner, Williams.

Total 20

Voted Absentee: Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: Cobb, Gutsche.

Total 2

HJR 5 - Representative Jore moved **HJR 5** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McCulloch, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 63

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Lenhart, Mangan, Matthews, McCann, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 36

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Krenzler.

Total 1

HJR 10 - Representative Curtiss moved **HJR 10** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke,

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Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 46

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Grinde, Sliter.

Total 2

HJR 19 - Representative Curtiss moved **HJR 19** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 33

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Holden.

Total 1

HJR 26 - Representative Bitney moved **HJR 26** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Golie, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood,

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Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 74

Noes: Barnhart, Buzzas, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lindeen, Mangan, McCulloch, Menahan, Raney, Ryan, Schmidt, Smith, Swanson, Williams, Wyatt.
Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Simon.
Total 1

HB 363 - Representative Wyatt moved **HB 363** do pass. Motion failed as follows:

Ayes: Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Kasten, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Ohs, Orr, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 52

Voted Absentee: Molnar, No.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 431 - Representative Mercer moved **HB 431** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt,

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Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Kasten, Molnar, Rehbein.
Total 7

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Vick, Wyatt.
Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Grinde moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 77

Noes: P. Clark, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Mangan, Peck, Raney, Rehbein, Sliter, Tuss, Williams, Wyatt.
Total 16

Excused: Dale, Molnar.
Total 2

Absent or not voting: Barnhart, Eggers, Harrington, Lenhart, Pavlovich.
Total 5

MOTIONS

Representative Grinde moved that **HB 431**, **HB 490**, and **HB 608** be rereferred to the Committee on Appropriations. Motion carried.

Representative Simon moved on **HB 639** and **HB 640** that he be removed as the chief sponsor and Representative Mangan be added. Motion carried.

Representative Golie requested on **HB 499**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Erickson requested on **HB 608**, 2nd reading today, that his vote be shown as no. There being no objections, so ordered.

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Representative Matthews requested on **HB 482**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Hibbard requested on **HB 486**, 3rd reading today, that his vote be shown as yes and that on **HB 488**, 3rd reading today, his vote be changed from yes to no. There being no objections, so ordered. (Refer to motion on Legislative Day 42 that objected to the change, thus the vote shown on Legislative Day 41 reflects the final vote.)

Representative Davies requested on **HB 499**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Thomas requested on **HB 566**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Gillan moved that the House reconsider its action on **HB 563**. Motion carried as follows:

Ayes: Beck, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, P. Clark, Cobb, Dell, Ewer, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Hagener, Haines, Harrington, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tropila, Vick, Wyatt, Younkin.

Total 50

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, Bitney, Brainard, Buzzas, R. Clark, Curtiss, Davies, Eggers, Erickson, Facey, Fisher, Grinde, Gutsche, Hanson, Harper, Hedges, Hibbard, Holden, Kitzenberg, McGee, McKenney, Menahan, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Squires, Tash, Taylor, Thomas, Trexler, Tuss, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 46

Excused: Dale, Molnar.

Total 2

Absent or not voting: McCulloch, Williams.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, February 20, 1999. Motion carried.

House adjourned at 4:40 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House