

**HOUSE JOURNAL
FIFTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 16, 1999

House Chambers
State Capitol

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

Roll Call. All members present except Representatives Pavlovich and Trexler. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-eighth legislative day, find the same to be correct.

Rehbein, Chairman

COMMUNICATIONS AND PETITIONS

To: Members of the House of Representatives
From: Speaker John Mercer
Rep. Emily Swanson
Date: March 16, 1999

In response to the mental health managed care crisis, a select committee has been formed to provide oversight of the transition from Magellan Health Services to whatever system is created. Formation of this committee is important so that the legislative branch continues to have a role in this process, even after the legislature adjourns in April. Members of the committee are: Rep. Loren Soft, chair; Rep. Trudi Schmidt, vice-chair; Rep. Stan Fisher, Rep. John Cobb, Rep. Bill Eggers and Rep. Bev Barnhart.

The committee is charged with assessing whether DPHHS's transition plan will provide a continuum of services to the people who currently are eligible under the Magellan contract; assessing when Magellan Health Services will transition out of Montana; whether an additional appropriation is needed for transition between the current and new system of mental health care delivery, and if so, how much; assessing whether the current level of services can be maintained; to investigate how much money is owed to providers and whether Magellan Health Services has fulfilled the terms of the contract; and to take whatever legal actions empowered by Montana law to ensure that Magellan Health Services fulfills terms of the contract and reimburses providers for services rendered to clients of the system.

The committee is requested to work with the Appropriations Subcommittee on Human Services to ensure legislation provides for an orderly and fiscally responsible transition. The committee is also requested to work with the Legislative Audit Division in performing oversight and in conducting a performance audit to assess the effectiveness of the state's process in establishing and overseeing a privately contracted managed mental health care system in Montana.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

3/16/1999

Correctly printed: **HB 4, HB 9, HB 127, HB 386, HB 513, HB 645, HB 649,
SB 71, SB 122, SB 154, SB 170, SB 240, SB 356, SB 374.**

Correctly engrossed: **HB 13.**

Correctly enrolled: **HB 118, HB 173, HB 210, HB 331, HB 349, HB 360, HB 371, HB 418, HB 442, HB 468,**

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HB 474, HB 476, HB 479, HB 492, HB 494, HB 495, HB 514, HB 615.

Examined by the sponsor and found to be correct: **HB 118, HB 173, HB 210, HB 331, HB 349, HB 360, HB 371, HB 442, HB 468, HB 474, HB 476, HB 479, HB 494, HB 514.**

Signed by the Speaker at 4:15 p.m., March 15, 1999: **HB 52, HB 154, HB 352, HB 531, HJR 23.**

Delivered to the Secretary of State: **HJR 23.**

Delivered to the Governor for his approval at 2:20 p.m., March 16, 1999: **HB 52, HB 154, HB 352, HB 531.**

APPROPRIATIONS (Zook, Chairman):

HB 9, introduced bill, be amended as follows:

3/16/1999

1. Page 1, line 26.

Strike: "\$335,000 in general fund money in fiscal year 2000 and \$335,000"

Insert: "\$300,000 in general fund money in fiscal year 2000 and \$300,000"

2. Page 2, line 4.

Strike: line 4

3. Page 2, line 6.

Strike: "4,500"

Insert: "5,000"

4. Page 2, line 7.

Strike: "3,818"

Insert: "4,000"

5. Page 2, line 9.

Strike: "3,350"

Insert: "3,300"

6. Page 2, line 10.

Strike: "4,500"

Insert: "5,000"

7. Page 2, line 11.

Strike: "2,965"

Insert: "3,000"

8. Page 2, line 12.

Strike: "3,550"

Insert: "4,000"

9. Page 2, line 13.

Strike: "4,500"

Insert: "5,000"

10. Page 2, line 15.

Strike: "2,500"

Insert: "3,000"

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11. Page 2, line 17.

Strike: line 17

12. Page 2, line 19.

Strike: line 19

13. Page 2, following line 20.

Insert: "Institute for African-American Folk Culture - Support \$4,000

Contingency: Funding contingent on the Montana arts council's approval of applicant's budget and production planning."

14. Page 2, line 22.

Strike: "\$40,000"

Insert: "32,000"

15. Page 2, line 23.

Strike: "20,000"

Insert: "16,000"

16. Page 2, line 24.

Strike: line 24

17. Page 2, line 25.

Strike: "30,000"

Insert: "24,000"

18. Page 2, line 26.

Strike: "40,000"

Insert: "32,000"

19. Page 2, line 27.

Strike: "25,000"

Insert: "20,000"

20. Page 2, line 28.

Strike: "40,000"

Insert: "32,000"

21. Page 2, line 29.

Strike: "30,000"

Insert: "24,000"

22. Page 2, line 30.

Strike: "20,000"

Insert: "16,000"

23. Page 3, line 1.

Strike: "15,000"

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Insert: "12,000"

24. Page 3, line 2.

Strike: "6,000"

Insert: "5,000"

25. Page 3, line 3.

Strike: "18,700"

Insert: "15,000"

26. Page 3, line 4.

Strike: "26,000"

Insert: "21,000"

27. Page 3, line 6.

Strike: "13,000"

Insert: "10,200"

28. Page 3, line 7.

Strike: "17,000"

Insert: "13,400"

29. Page 3, line 8.

Strike: "2,500"

Insert: "4,000"

30. Page 3, line 9.

Strike: line 9

31. Page 3, line 10.

Strike: "15,000"

Insert: "12,000"

32. Page 3, line 11.

Strike: "18,000"

Insert: "14,200"

33. Page 3, line 12.

Strike: "12,000"

Insert: "9,400"

34. Page 3, line 13.

Strike: "9,000"

Insert: "7,100"

35. Page 3, line 14.

Strike: "40,000"

Insert: "20,000"

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36. Page 3, line 15.

Strike: "7,000"

Insert: "6,000"

37. Page 3, line 16.

Strike: "15,000"

Insert: "12,000"

38. Page 3, line 17.

Strike: "10,000"

Insert: "8,000"

39. Page 3, line 18.

Strike: line 18

40. Page 3, line 19.

Strike: "6,300"

Insert: "5,000"

41. Page 3, line 22.

Strike: "10,000"

Insert: "9,000"

42. Page 3, line 23.

Strike: line 23

43. Page 3, line 25.

Strike: "\$27,500"

Insert: "\$22,000"

44. Page 3, line 26.

Strike: "22,000"

Insert: "17,300"

45. Page 3, line 27.

Strike: "25,000"

Insert: "20,000"

46. Page 3, line 28.

Strike: "20,000"

Insert: "16,000"

47. Page 3, line 29.

Strike: "40,000"

Insert: "32,000"

48. Page 3, line 30.

Strike: "28,000"

Insert: "22,000"

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49. Page 4, line 1.
Strike: "31,000"
Insert: "24,400"

50. Page 4, line 2.
Strike: "26,000"
Insert: "21,000"

51. Page 4, line 3.
Strike: "15,000"
Insert: "12,000"

52. Page 4, line 4.
Strike: "35,000"
Insert: "28,000"

53. Page 4, line 5.
Strike: "15,000"
Insert: "12,000"

54. Page 4, line 6.
Strike: "20,000"
Insert: "16,000"

55. Page 4, line 7.
Strike: "22,000"
Insert: "17,300"

56. Page 4, line 8.
Strike: "20,000"
Insert: "10,000"

57. Page 4, line 10.
Strike: "20,000"
Insert: "16,000"

58. Page 4, line 11.
Strike: "12,000"
Insert: "10,000"

59. Page 4, line 12.
Strike: "6,000"
Insert: "5,000"

60. Page 4, line 13.
Strike: "20,000"
Insert: "16,000"

61. Page 4, line 14.

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Strike: "15,000"
Insert: "12,000"

62. Page 4, line 15.
Strike: "10,000"
Insert: "8,000"

63. Page 4, line 16.
Strike: "8,000"
Insert: "6,300"

64. Page 4, line 17.
Strike: "10,000"
Insert: "8,000"

65. Page 4, line 18.
Strike: "8,000"
Insert: "6,300"

66. Page 4, line 19.
Strike: "7,500"
Insert: "6,000"

67. Page 4, line 20.
Strike: "6,600"
Insert: "6,000"

68. Page 4, line 21.
Strike: "7,400"
Insert: "3,000"

69. Page 4, line 23.
Strike: "\$13,750"
Insert: "\$11,000"

70. Page 4, line 24.
Strike: "30,000"
Insert: "24,000"

71. Page 4, line 25.
Strike: "16,000"
Insert: "15,000"

72. Page 4, line 26.
Strike: "30,000"
Insert: "24,000"

73. Page 4, following line 26.
Insert: "Contingency: Funding is contingent on the provision of a 20% match by the city of Billings in either cash

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or in-kind contributions."

74. Page 4, line 27.

Strike: "35,000"

Insert: "28,000"

75. Page 4, line 28.

Strike: "20,000"

Insert: "16,000"

76. Page 4, line 29.

Strike: "2,887"

Insert: "3,000"

77. Page 4, line 30.

Strike: "15,000"

Insert: "12,000"

78. Page 4, following line 30.

Insert: "Performing Arts Advisory Board: WMC-UM - Support 7,000"

And, as amended, do pass. Report adopted.

HB 127, introduced bill, be amended as follows:

3/15/1999

1. Title, line 13.

Following: "~~ORDER~~;"

Insert: "PROVIDING FOR REIMBURSEMENT OF HANDLING FEES TO THE OBLIGEE FROM THE OBLIGOR;"

2. Page 10, line 13.

Strike: "NOT"

Strike: "A"

Insert: "each"

3. Page 10, line 19.

Following: "support;"

Insert: "The department may withhold the fee from the support payment before distribution to the obligee. The department may, using any remedy available to it for adjudication and collection of child support arrearages, seek reimbursement from the obligor for a handling fee paid by the obligee. The obligee may be reimbursed the handling fee only as collection from the obligor allows and in accordance with federal law concerning distribution of support."

4. Page 17, line 21.

Strike: "ITS DIRECTOR"

Insert: "any of its employees"

And, as amended, do pass. Report adopted.

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SB 170, be amended as follows:

3/16/1999

1. Title, line 9 through line 10.

Following: "~~COMMISSION~~;"

Strike: the remainder of line 9 through "GRANTS;" on line 10

2. Page 2, line 27 through page 3, line 24.

Strike: Sections 2, 3, and 4 in their entirety

Renumber: subsequent sections

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

BUSINESS AND LABOR (Simon, Chairman):

3/15/1999

SB 117, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman):

HB 386, introduced bill, be amended as follows:

3/16/1999

1. Title, line 4.

Strike: "PHASING IN A 20 PERCENT"

Insert: "PROVIDING FOR A"

2. Title, lines 5 and 6.

Strike: "5" on line 5

Insert: "3"

Following: "PERCENT" on line 5

Strike: remainder of line 5 through "1999" on line 6

3. Page 4, lines 13 through 21.

Following: "(1)" on line 13

Strike: "remainder of line 13" through "80%" on line 21

Insert: "by multiplying the amount by 97%"

And, as amended, do pass. Report adopted.

HB 513, introduced bill, be amended as follows:

3/15/1999

1. Title, page 1, line 4.

Following: the first "THAT"

Insert: "AGRICULTURAL"

Strike: "OVER 240 ACRES"

2. Title, page 1, line 5.

Strike: "PRIMARILY FOR THE PRODUCTION OF AGRICULTURAL PRODUCTS"

Insert: "TO PRODUCE UNRELATED BUSINESS TAXABLE INCOME"

3. Title, page 1, line 7.

Following: "EXEMPTION;"

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Insert: "REVISING THE DEFINITION OF "INSTITUTIONS OF PURELY PUBLIC CHARITY";"

4. Page 3, line 29.

Following: "The organization"

Insert: "offers its charitable goods or services to persons without regard to race, religion, creed, or gender and"

5. Page 4, line 4 through line 5.

Strike: "purely" on line 4 through "size" on line 5

Insert: "agricultural property owned by a purely public charity is not exempt if the agricultural property is used by the charity to produce unrelated business taxable income as that term is defined in section 512 of the Internal Revenue Code, 26 U.S.C. 512. A public charity claiming an exemption for agricultural property shall file annually with the department a copy of its federal tax return reporting any unrelated business taxable income received by the charity during the tax year, together with a statement indicating whether the exempt property was used to generate any unrelated business taxable income"

And, as amended, do pass. Report adopted.

HB 656, do pass. Report adopted.

TRANSPORTATION (Anderson, Chairman):

3/16/1999

HB 648, do pass. Report adopted.

SB 122, be amended as follows:

1. Title, line 6.

Following: "PROGRAM;"

Insert: "ALLOWING A THIRD-PARTY COMMERCIAL DRIVER EXAMINER FROM ANOTHER JURISDICTION TO CERTIFY AN APPLICANT'S COMPLETION OF A ROAD OR SKILLS TEST; AMENDING SECTION 61-5-118, MCA;"

2. Page 1.

Following: line 16

Insert: "**Section 1.** Section 61-5-118, MCA, is amended to read:

"61-5-118. (Temporary) Third-party commercial driver testing program -- test waiver. (1) The department may certify as a third-party commercial driver testing program any company that:

(a) in the course of its commercial enterprise, customarily transports or hauls any goods, including agricultural commodities, in company-owned class A commercial motor vehicles as prescribed by federal regulations;

(b) regularly and continuously employs a minimum number of drivers. The department shall determine the minimum number of drivers and whether they are regularly and continuously employed by the company.

(c) has a permanent Montana mailing address and maintains a place of business in this state that includes at least one permanent, regularly occupied structure with facilities and equipment to conduct offstreet skills testing;

(d) employs at least one examiner with qualifications required by rules of the department; and

(e) complies with rules adopted by the department under 61-5-117.

(2) The road test or the skills test required by 61-5-110 may be waived by the department for a commercial driver's license applicant upon certification of the applicant's successful completion of the road test or the skills test by:

(a) a ~~certified~~ third-party commercial driver testing program certified under subsection (1); or

(b) a third-party commercial driver examiner from a jurisdiction that has a comparable third-party commercial driver testing program, as determined by the department.

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(3) An examiner for a certified third-party commercial driver testing program may administer a road test or a skills test only to a company employee who has applied to the department for a commercial driver's license and who has passed the knowledge test required by 61-5-110 and by department or federal rules. (Terminates September 30, 1999--sec. 12, Ch. 53, L. 1995.)"

Renumber: subsequent sections

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

SB 330, be concurred in. Report adopted.

SB 346, be concurred in. Report adopted.

SB 355, be concurred in. Report adopted.

SB 356, be amended as follows:

1. Page 1, line 26.

Following: " _ "

Insert: "The member provided for under this subsection must be selected by the governor from a list of nominees provided by the Montana members of the Montana-Wyoming tribal leaders council."

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

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on Senate Bill 260
Report No. 1, March 16, 1999

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 260** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 260** (reference copy -- salmon) be amended as follows:

1. Title, line 11.

Following: "TAX;"

Insert: "PROVIDING FOR THE TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE STATE SPECIAL REVENUE ACCOUNTS FOR PURPOSES OF THE 6-MILL UNIVERSITY LEVY AND THE 9-MILL COUNTY PUBLIC ASSISTANCE LEVY;"

2. Page 3, line 21.

Strike: "["

Strike: "]"

3. Page 3, line 23.

Strike: "["

Strike: "]"

4. Page 4, line 13.

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Strike: "["
Strike: "]"

5. Page 5, lines 20 through 24.

Strike: section 5 in its entirety

Insert: "NEW SECTION. Section 5. Fund transfers. (1) There is transferred from the general fund to the state special revenue fund referred to in [section 1 of Senate Bill No. 79] \$604,305 for fiscal year 2000 and \$1,268,732 for fiscal year 2001.

(2) There is transferred from the general fund to the state special revenue fund referred to in 53-2-813(2) to the credit of the department of public health and human services, \$87,471 for fiscal year 2000 and \$183,644 for fiscal year 2001."

For the Senate:

Devlin, Chairman
Glaser
Stang

For the House:

Rose, Chairman
Beck
Fisher

MESSAGES FROM THE SENATE

HB 173, introduced by Somerville, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

3/15/1999

Yeas - 45
Nays - 5

Senate bills passed and transmitted to the House for concurrence:

3/15/1999

SB 454, introduced by Beck

SB 502, introduced by Grosfield

House amendments to Senate bills concurred in:

3/15/1999

SB 90, introduced by Stang

SB 99, introduced by Tester

SB 54 - The Senate failed to concur in House amendments to **SB 54**.

3/15/1999

House bills concurred in and returned to the House:

3/15/1999

HB 118, introduced by Mood

HB 210, introduced by Johnson

HB 331, introduced by Ahner

HB 349, introduced by Thomas

HB 360, introduced by R. Clark

HB 371, introduced by Cobb

HB 418, introduced by Pavlovich

HB 442, introduced by Stovall

HB 468, introduced by Brainard

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HB 474, introduced by Hibbard
HB 476, introduced by Johnson
HB 479, introduced by Johnson
HB 492, introduced by Harper
HB 494, introduced by Squires
HB 495, introduced by Pavlovich
HB 514, introduced by Somerville
HB 615, introduced by Harrington

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/15/1999

HB 58, introduced by Younkin
HB 69, introduced by McCann
HB 98, introduced by Simon
HB 107, introduced by McCulloch
HB 132, introduced by Kasten
HB 192, introduced by Andersen
HB 215, introduced by Ewer
HB 379, introduced by Tash
HB 444, introduced by Thomas
HB 526, introduced by Mangan

House amendments to Senate bills concurred in: 3/16/1999

SB 187, introduced by Tester
SB 289, introduced by Doherty

SB 54 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **SB 54**: 3/16/1999

Senator Grimes, Chairman
Senator Halligan
Senator McNutt

House bills concurred in and returned to the House: 3/16/1999

HB 142, introduced by Anderson
HB 373, introduced by Younkin
HB 522, introduced by Pavlovich

MESSAGES FROM THE GOVERNOR

March 15, 1999

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

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Dear Representative Mercer:

Please be informed that I have signed **House Bill 10** sponsored by Representative Quilici, **House Bill 12** sponsored by Representative Quilici, **House Bill 38** sponsored by Representative Peck, **House Bill 48** sponsored by Representative McGee et al., **House Bill 66** sponsored by Representative Cobb, **House Bill 73** sponsored by Representative Rose, **House Bill 75** sponsored by Representative Ahner, **House Bill 82** sponsored by Representative Harper et al., **House Bill 101** sponsored by Representative Bookout-Reinicke, **House Bill 119** sponsored by Representative Mood, **House Bill 120** sponsored by Representative Brown, **House Bill 151** sponsored by Representative Witt, **House Bill 179** sponsored by Representative Sliter, **House Bill 214** sponsored by Representative McGee, **House Bill 233** sponsored by Representative Schmidt et al., **House Bill 237** sponsored by Representative Swanson et al., **House Bill 391** sponsored by Representative Hedges, and **House Bill 480** sponsored by Representative Johnson on March 15, 1999.

Sincerely,

MARC RACICOT
Governor

March 15, 1999

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

The Honorable Bruce Crippen
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Mercer and President Crippen:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with an amendment House Bill 245, "AN ACT IMPLEMENTING RECOMMENDATIONS OF THE AFFORDABLE HOUSING AND LAND USE INITIATIVE; ESTABLISHING A BUILDING CODES COUNCIL; ESTABLISHING A CONTINUING EDUCATION PROGRAM ADMINISTERED BY THE DEPARTMENT OF COMMERCE AND FUNDED BY A PORTION OF INSPECTION FEES; MANDATING THE CREATION OF A CENTRAL REGISTRY OF AUTHORITATIVE INTERPRETATIONS OF BUILDING CODES; PROVIDING FOR STATEWIDE APPROVAL OF MODEL PLANS AND A CHECKLIST FOR THE EXAMINATION OF SINGLE-FAMILY DWELLING CONSTRUCTION PLANS; AND AMENDING SECTIONS 50-60-103, 50-60-106, 50-60-201, AND 50-60-301, MCA," for the following reason.

House Bill 245 includes a requirement that when a building contractor submits to the Department of Commerce or to local government a model construction plan and checklist for a single-family dwelling, the contractor must receive the permit or notice of disapproval within a certain time frame after submission of the completed checklist. The time frame that was included in the introduced version of House Bill 245 was five days. It was changed to ten days, to reflect a more realistic turnaround time.

Although the ten day time frame was amended into the section that addressed the duties of counties and municipalities (section 6), it was inadvertently left out of the section that addressed the duties of the Department of Commerce

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(section 4). My proposed amendment removes this inconsistency.

Representative Simon, the sponsor of the bill, is aware of and agrees with this proposed amendment.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS TO
House Bill No. 245
(Reference Copy)
March 15, 1999

1. Page 4, line 8.

Strike: "5"

Insert: "10"

Representative Grinde moved that the House recess for the purpose of caucuses and reconvene at 10:00 a.m.

House recessed at 9:10 a.m.

House reconvened at 10:00 a.m.

Roll Call. All members present except Representatives Pavlovich and Trexler. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

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

HB 671, introduced by R. Bitney, D. McGee, A. Mohl, P. Sliter, J. Tropila, referred to Taxation.

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

SB 454, introduced by T. Beck, referred to Taxation.

SB 502, introduced by L. Grosfield, referred to Taxation.

THIRD READING OF BILLS

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

SB 108, as amended by the House, concurred in as follows:

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

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Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Dale, Davies, Jore, McGee, Molnar, Orr, Rehbein, Vick, Wagner.
Total 13

Excused: Trexler.

Total 1

Absent or not voting: Menahan.

Total 1

SB 113, as amended by the House, concurred in as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, 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, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 84

Noes: Adams, S. Anderson, P. Bergsagel, Brainard, Davies, Jore, Lawson, McGee, Molnar, Orr, Rehbein, Story, Vick, Wagner.
Total 14

Excused: Trexler.

Total 1

Absent or not voting: Shockley.

Total 1

SB 243, as amended by the House, concurred in 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, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, P. Bergsagel, Brown, Fuchs, Golie, Holden, Jore, Kasten, Matthews, Molnar, Orr, Rehbein, Wagner.

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Total 13

Excused: Trexler.

Total 1

Absent or not voting: Shockley.

Total 1

SB 325, as amended by the House, concurred in as follows:

Ayes: 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, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, Barnhart, Buzzas, Erickson, Holden, Jore, Juneau, Rehbein, Ryan, Story, Wyatt.

Total 11

Excused: Trexler.

Total 1

Absent or not voting: Shockley.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

**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 Simon in the chair.

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

HB 2 - Representative Zook moved **HB 2** do pass.

Representative Taylor gave opening remarks on Section A: General Government and Transportation.

HB 2 - Representative Mangan moved **HB 2**, second reading copy, be amended as follows :

1. Page A-3, line 18.

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Strike: "1,186,102	1,140,911"	[general fund amounts]
Insert: "1,206,102	1,160,911"	[general fund amounts]

LFD will adjust totals.

2. Page A-4, following line 14.

Insert: "It is the intent of the legislature that the Montana consensus council continue to be supported by a balance of grants, fees, and general fund money to maintain its integrity and credibility. The council should not become dependent on any one source of support."

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, R. Clark, Cobb, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Ohs, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tash, Tropila, Tuss, Williams, Wyatt.

Total 44

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Curtiss, Dale, Davies, Dell, Facey, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Masolo, McCann, McGee, McKenney, Molnar, Noennig, Orr, Peck, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Mood.

Total 1

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be amended as follows :

1. Page A-56 in the HB 2 narrative.

"The Legislative Fiscal Division is directed to eliminate 1.5 FTE in the General Operations Program and to move the associated funding of \$40,782 in fiscal 2000 and \$40,486 in fiscal 2001 from personal services to operating expenses."

2. Page A-60 in the HB 2 narrative.

"The Legislative Fiscal Division is directed to eliminate 5.45 FTE in the Construction Program and to move the associated funding of \$157,477 in fiscal 2000 and \$156,364 in fiscal 2001 from personal services to operating expenses."

This amendment eliminates FTE that have been vacant for an extended period, but moves the funding associated with the position to operating expenses. This would allow the agency to either contract for the services or request modified FTE during the 2001 biennium.

Amendment adopted as follows:

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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, Fisher, Fuchs, Grinde, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 63

Noes: Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Quilici, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Williams, Wyatt.

Total 36

Voted Absentee: Pavlovich, No.

Excused: Trexler.

Total 1

Absent or not voting: None.

Total 0

Representative Taylor moved to close Section A. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Facey, Fisher, Gallus, Galvin-Halcro, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Adams, E. Bergsagel, P. Bergsagel, Buzzas, Curtiss, Eggers, Erickson, Ewer, Fuchs, Gillan, Gutsche, Harper, Harrington, Hurdle, Jore, Juneau, Lenhart, Lindeen, Mangan, Matthews, Menahan, Orr, Somerville, Swanson, Vick, Williams, Wyatt.

Total 27

Voted Absentee: Trexler, Aye.

Excused: Pavlovich.

Total 1

Absent or not voting: Barnhart, Golie, McCann, Schmidt, Smith, Tuss.

Total 6

Representative Grinde moved to reopen Section A for the purpose of an amendment. Motion carried.

HB 2 - Representative Wyatt moved **HB 2**, second reading copy, be further amended as follows :

1. Page A-4, line 11.

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Strike: "166,620"
Insert: "567,365"
Strike: "9,180"
Insert: "10,460" (state special revenue fiscal 2000)
"401,776" (federal funds)
Strike: "166,609"
Insert: "620,636"
Strike: "9,180"
Insert: "10,460" (state special revenue fiscal 2001)
"455,058" (federal funds)

2. Page B-3.

Strike: line 16 in its entirety
Insert: "6,339,691" (general fund fiscal 2000)
"1,626,939" (state special revenue)
"6,142,974" (federal funds)
"6,555,041" (general fund fiscal 2001)
"1,646,299" (state special revenue)
"6,139,891" (federal funds)

Amendment failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Mr. Speaker.
Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook.
Total 51

Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: None.
Total 0

Representative Kasten gave opening remarks on Section B: Health and Human Services.

House recessed at 12:00 p.m.

House reconvened at 1:00 p.m.

Representative Kasten continued opening remarks on Section B: Health and Human Services.

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HB 2 - Representative Johnson moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-9, lines 22 and 23.

Strike: lines 22 and 23 in their entirety

Amendment failed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Brainard, E. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Haines, Hanson, Hibbard, Holden, Jackson, Johnson, Kasten, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Noennig, Peck, Rehbein, Rose, Shockley, Simon, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 44

Noes: Adams, Ahner, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hurdle, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, McCulloch, Molnar, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Sliter, Smith, Squires, Story, Swanson, Tropila, Tuss, Vick, Williams, Wyatt.

Total 53

Voted Absentee: Pavlovich, No.

Excused: Trexler.

Total 1

Absent or not voting: Mood, Ohs.

Total 2

HB 2 - Representative Facey moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-7.

Following: line 16

Insert: "TANF block grant funds of \$100,000 each year of the 2001 biennium are appropriated for the purpose of enhancing the adult basic education program for FAIM financial assistance participants. The funds are to be used to provide adult basic education, adult literacy programs, and learning disability assessment, identification, and followup services for FAIM financial assistance participants."

Amendment adopted as follows:

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

Total 81

Noes: Adams, S. Anderson, P. Bergsagel, Fisher, Fuchs, Holden, Johnson, Jore, Orr, Wagner.

Total 10

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Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: Dale, Grinde, Haines, Ohs, Shockley, Sliter, Vick.
Total 7

HB 2 - Representative Krenzler moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-4.

Strike: line 4 through line 24 in their entirety

Amendment adopted as follows:

Ayes: Adams, J. Andersen, Beck, Bitney, Brown, Buzzas, E. Clark, P. Clark, Davies, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harrington, Hurdle, Jackson, Jore, Juneau, Kasten, Krenzler, Lenhart, Mangan, Masolo, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Quilici, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Swanson, Thomas, Tropila, Walters, Williams, Witt, Wyatt.
Total 52

Noes: Ahner, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, R. Clark, Cobb, Curtiss, Dale, Erickson, Fisher, Fuchs, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Kitzenberg, Lawson, Matthews, McCann, Orr, Peck, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Tuss, Vick, Wagner, Younkin, Zook, Mr. Speaker.
Total 41

Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: Harper, Lindeen, Ohs, Raney, Shockley.
Total 5

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1, line 20.

Strike: "42,579,222 43,523,754"

Insert: "42,447,108 43,338,792"

2. Page B-2.

Following: line 5

Insert: "f. HIV Medication and Case Management

132,114" (general fund fiscal 2000)

"184,962" (general fund fiscal 2001)

Amendment failed as follows:

Ayes: Barnhart, Beck, Brown, Buzzas, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Noennig, Pavlovich, Ryan, Schmidt, Shockley, Simon, Sliter, Smith,

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Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 43

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Fuchs, Guggenheim, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McKenney, Molnar, Mood, Orr, Peck, Quilici, Raney, Rehbein, Rose, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook.
Total 51

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.
Total 1

Absent or not voting: Gallus, McGee, Menahan, Ohs, Mr. Speaker.
Total 5

HB 2 - Representative Squires moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1.

Following: line 8

Insert: "c. Montana Food Bank Processing Project (Restricted/OTO)
74,500 [General Fund fiscal 2000]
74,500" [General Fund fiscal 2001]

2. Page B-8.

Following: line 9

Insert: "Item 1c is contingent on the receipt of the social security contribution account reversion to the general fund under 19-1-602(4) and must be used for the canning and processing of meat donated to the Montana food bank. The processing will be done at the processing plant at the Montana state prison."

Amendment failed as follows:

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

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 50

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.
Total 1

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Absent or not voting: Hibbard, Ohs.
Total 2

HB 2 - Representative Squires moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1.

Following: line 8

Insert: "c. Montana Food Bank Processing Project (Restricted/OTO)
50,000 [General Fund fiscal 2000]
50,000" [General Fund fiscal 2001]

2. Page B-8.

Following: line 9

Insert: "Item 1c is contingent on the receipt of the social security contribution account reversion to the general fund under 19-1-602(4) and must be used for the canning and processing of meat donated to the Montana food bank. The processing will be done at the processing plant at the Montana state prison."

Amendment failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 48

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 49

Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: Ohs.
Total 1

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-8.

Following: line 6

Insert: "The department shall use \$300,000 from the TANF "rainy- day reserve" in fiscal year 2000 and fiscal year 2001 for providing chemical dependency services to long-term FAIM recipients."

Amendment adopted as follows:

Ayes: Barnhart, Beck, Brown, Buzzas, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Molnar,

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Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 52

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McKenney, Mood, Noennig, Ohs, Orr, Rose, Shockley, Sliter, Story, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 45

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.

Total 1

Absent or not voting: Bitney, Stovall.

Total 2

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-8.

Following: line 6

Insert: "The department may expend \$4 million of the TANF "rainy-day reserve" in the 2001 biennium to provide the match for individual development accounts (IDA). The department shall determine who is eligible for an IDA."

Amendment failed as follows:

Ayes: Barnett, Barnhart, Beck, E. Bergsagel, Buzzas, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Pavlovich, Quilici, Raney, Ryan, Schmidt, Simon, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Zook.

Total 45

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

Total 52

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.

Total 1

Absent or not voting: Bitney, Peck.

Total 2

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HB 2 - Representative Molnar moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1, line 4.

Strike: "17,792,658" [General fund fiscal year 2000]

Insert: "17,299,136" [General fund fiscal year 2000]

Strike: "17,675,072" [General fund fiscal year 2001]

Insert: "17,181,549" [General fund fiscal year 2001]

LFD will adjust totals.

2. Page B-7.

Strike: line 5 through line 7 in their entirety

Amendment failed as follows:

Ayes: Adams, S. Anderson, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Curtiss, Davies, Grinde, Hanson, Hedges, Jackson, Jore, Lawson, McGee, Molnar, Mood, Ohs, Orr, Rehbein, Shockley, Sliter, Story, Stovall, Tash, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 34

Noes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Swanson, Taylor, Thomas, Tropila, Tuss, Williams, Wyatt.

Total 63

Voted Absentee: Pavlovich, No.

Excused: Trexler.

Total 1

Absent or not voting: E. Bergsagel, Fuchs.

Total 2

HB 2 - Representative Swanson moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-2, line 6.

Following: line 5

Insert: "f. Children's Health Insurance Program 1,302,459 3,375,913" (general fund fiscal 2000 and federal special fiscal 2000)

2. Page B-11, line 1.

Following: page B-10

Insert: "The appropriations in item 5f are available only if tobacco settlement funds are not received during fiscal year 2000 for the program. If federal tobacco settlement funds are received after the expenditure of all or a portion of the appropriation, then the amount of the expenditure must be deposited in the general fund from the tobacco settlement proceeds."

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

Total 57

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Mangan moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-2, line 1.

Insert: "500,000" (general fund fiscal 2000)

2. Page B-10, line 20.

Following: "communities."

Insert: "The general fund appropriation in item 5c must be used for tobacco prevention programs. The general fund appropriation in item 5c is available only if tobacco settlement funds are not received during fiscal year 2000. If tobacco settlement funds are received after the expenditure of all or a portion of the general fund appropriation in item 5c, then the amount of the expenditure must be deposited in the general fund from the tobacco settlement proceeds."

Amendment failed as follows:

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

Total 37

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

Total 60

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Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: Shockley.
Total 1

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1, line 4.

Strike: "17,792,658" [General Fund Fiscal Year 2000]

Insert: "17,692,658" [General Fund Fiscal Year 2000]

Strike: "17,675,072" [General Fund Fiscal Year 2001]

Insert: "17,575,072" [General Fund Fiscal Year 2001]

2. Page B-1.

Following: line 8

Insert: "c. Psychological Evaluations (Biennial)"

"100,000" [General Fund Fiscal Year 2000]

"100,000" [General Fund Fiscal Year 2001]

LFD will adjust totals.

Explanation: This amendment appropriates \$200,000 general fund for the biennium to be used for psychological evaluations for FAIM clients that may need this service.

HB 2 - Representative Jore moved the amendment be divided. Thereupon, the first amendment adopted 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, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Hanson, Johnson, Masolo, Soft, Taylor, Thomas.

Total 6

Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: Bitney, Grinde, Harrington, Mood, Ohs.
Total 5

The second amendment adopted as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Cobb,

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Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Noennig, Ohs, Peck, Raney, Ryan, Schmidt, Simon, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Adams, Ahner, J. Andersen, P. Bergsagel, Brainard, Brown, E. Clark, Davies, Fisher, Grinde, Hanson, Jackson, Johnson, Jore, Kasten, McKenney, Mood, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Sliter, Soft, Taylor, Vick, Wagner, Walters, Witt.

Total 30

Voted Absentee: Pavlovich, No.

Excused: Trexler.

Total 1

Absent or not voting: Bitney.

Total 1

HB 2 - Representative Lenhart moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-11, line 20 through page B-12, line 1.

Strike: page B-11, line 20 through page B-12, line 1 in their entirety

Insert: "It is the intent of the legislature that 32 individuals in the Montana developmental center and Eastmont human services center not be transferred to community services."

Amendment adopted as follows:

Ayes: Barnett, Beck, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Williams, Wyatt, Zook.

Total 54

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Cobb, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McKenney, Mood, Noennig, Ohs, Orr, Peck, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Vick, Wagner, Walters, Witt, Younkin, Mr. Speaker.

Total 44

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.

Total 1

Absent or not voting: Bitney.

Total 1

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HB 2 - Representative Squires moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-7.

Following: line 16

Insert: "The department shall provide semiannual reports, beginning July 1, 1999, to the appropriate legislative committee and the legislative finance committee and shall make the reports available on the department's internet virtual pavilion site. The report must include:

- (1) the number of sanctions administered;
- (2) the number of repeat sanctions;
- (3) the progress that the department is making in determining the cause of repeat sanctions; and
- (4) the department's progress in working with FAIM recipients to eliminate repeat sanctions."

Amendment adopted as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 58

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McKenney, Mood, Orr, Rehbein, Rose, Sliter, Somerville, Story, Taylor, Thomas, Vick, Wagner, Walters, Witt.

Total 41

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be amended as follows :

1. Page B-1, line 10.

Strike: "18,892,894" [General Funds Fiscal Year 2000]

Insert: "19,142,894" [General Funds Fiscal Year 2000]

Strike: "19,395,212" [General Funds Fiscal Year 2001]

Insert: "19,645,212" [General Funds Fiscal Year 2001]

LFD will adjust totals.

Explanation: The purpose of this amendment is to add \$250,000 general fund each year of the biennium for subsidized adoptions.

Amendment adopted as follows:

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Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 51

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, Krenzler, Lawson, Masolo, McCann, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 47

Voted Absentee: Pavlovich, Aye.

Excused: Trexler.

Total 1

Absent or not voting: Johnson.

Total 1

HB 2 - Representative Molnar moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-8, following line 16.

Insert: "The department shall not accept any incentive payments under adoption 2002."

Amendment failed as follows:

Ayes: Adams, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, R. Clark, Curtiss, Davies, Fuchs, Jore, Lawson, Lenhart, McGee, Molnar, Orr, Shockley, Smith, Vick, Wagner, Walters.

Total 20

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

Total 78

Voted Absentee: Pavlovich, No.

Excused: Trexler.

Total 1

Absent or not voting: Bitney.

Total 1

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HB 2 - Representative Molnar moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-8, following line 16.

Insert: "Any incentive funds received by the department under adoption 2002 shall be used for family reunification."

Amendment failed as follows:

Ayes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Fuchs, Haines, Jore, Kasten, Lawson, Masolo, McGee, Molnar, Orr, Rehbein, Shockley, Thomas, Vick, Wagner, Walters.

Total 28

Noes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Buzzas, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 68

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Bitney, McCann.

Total 2

HB 2 - Representative Mangan moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-3, following line 24.

Insert: "e. Mental Health Managed Care Claims(OTO/Restricted)
10,000,000" (general fund fiscal 2000)

2. Page B-12, following line 13.

Insert: "Funds in item 10e must be used to pay mental health providers that were contemplated to receive but have not received payments under the state's mental health managed care contract. Funds in item 10e may not be used for any other purpose."

Explanation: This amendment appropriates \$10 million general fund in fiscal 2000 to pay additional claims for mental health services. Funds that are not spent will revert to the general fund.

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Lenhart, Mangan, Matthews, McCulloch, Menahan, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 33

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson,

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Harrington, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 62

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Dell, Hibbard, Krenzler.

Total 3

HB 2 - Representative Mangan moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-3, following line 24.

Insert: "e. Mental Health Services for Low-Income Montanans (Restricted)

3,000,000" (general fund fiscal 2000)

"3,000,000" (general fund fiscal 2001)

2. Page B-12, following line 13.

Insert: "Funds in item 10e may be used only for unexpected increases in the cost of community services and prescription medications for the nonmedicaid population served by the Montana mental health program. Funds in item 10e may not be used for state hospital or state nursing care center services. Funds in item 10e may be expended only after the department certifies to the office of budget and program planning that other appropriations for community services and prescription drugs for the nonmedicaid population are not adequate to support the cost of the program."

Explanation: This amendment adds \$6 million general fund over the biennium for community services and prescription drug costs for the non-Medicaid group served by the Montana mental health program. The funds cannot be used for state institution costs.

Amendment failed as follows:

Ayes: Barnhart, Beck, Cobb, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gutsche, Hagener, Harper, Hurdle, Juneau, Lenhart, Mangan, Matthews, McCann, McCulloch, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 29

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

Total 66

Excused: Pavlovich, Trexler.

Total 2

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Absent or not voting: Gillan, Golie, Hibbard.
Total 3

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1, line 4.

Strike: "17,792,658" [General Fund Fiscal Year 2000]

Insert: "17,542,658" [General Fund Fiscal Year 2000]

Strike: "17,675,072" [General Fund Fiscal Year 2001]

Insert: "17,425,072" [General Fund Fiscal Year 2001]

LFD will adjust totals.

Amendment adopted as follows:

Ayes: 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, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, Buzzas, Johnson, Menahan, Schmidt, Wyatt.

Total 6

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Gallus, Golie, Hibbard.

Total 3

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-12, line 13.

Following: "]"

Insert: "and may not be expended if the 180-day notice of termination provided for in the mental health access plan contract is withdrawn"

Amendment adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, 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, 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, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley,

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Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: E. Bergsagel.

Total 1

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Hibbard.

Total 1

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-12, line 12.

Following: "contract"

Insert: "and has published a request for proposals to competitively award a statewide administrative services contract for the mental health program"

2. Page B-12, line 13.

Following: "."

Insert: "The department may not spend funds in item 10d unless it has undertaken a competitive bid process and awarded a contract for a statewide administrative services contract for the mental health program."

Amendment adopted as follows:

Ayes: Barnhart, Beck, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Eggers, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Jore, Juneau, Mangan, McCann, McCulloch, McGee, Menahan, Mood, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Sliter, Smith, Squires, Story, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin, Mr. Speaker.

Total 51

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, E. Clark, Dale, Davies, Dell, Erickson, Ewer, Fisher, Hanson, Hedges, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McKenney, Molnar, Noennig, Rose, Simon, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Zook.

Total 45

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Grinde, Hibbard.

Total 2

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-3, line 16.

Strike: "6,740,436"

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Insert: "1,479,416"
Following: "14,913,405"
Strike: "7,009,068"
Insert: "1,529,674"

2. Page B-3, line 22.
Following: "12,717,093"
Strike: "5,539,771"
Insert: "2,308,461"

3. Page B-3, line 24.
Following: "25,879,298"
Strike: "11,247,414"
Insert: "4,784,793"
Following: "39,189,563"
Strike: "16,320,408"
Insert: "7,066,684"

4. Page B-3.
Following: line 24
Insert: "e. Montana State Hospital (Restricted)
5,261,020 (general fund - fiscal 2000)
9,693,931 (state special revenue)
5,479,394 (general fund - fiscal 2001)
9,253,724" (state special revenue)

5. Page B-12.
Following: line 13
Insert: "Pursuant to 17-8-103, the department may not spend more for Montana state hospital services than the amount in item 10e [Montana state hospital] and the \$700,000 in state special revenue funds appropriated in the following section."

Explanation: This amendment limits the department's expenditures for the Montana State Hospital to the amount appropriated expressly for state hospital services. The department may not expend more for state hospital services than the line item amount plus up to \$700,000 of state special revenue from penalties assessed and collected from the contractor for delay in moving into the new state hospital.

Amendment failed as follows:

Ayes: Adams, Barnhart, P. Bergsagel, Brainard, Buzzas, R. Clark, Cobb, Curtiss, Dale, Facey, Fuchs, Galvin-Halcro, Gillan, Guggenheim, Hurdle, Jore, Juneau, Mangan, McCulloch, McGee, Orr, Peck, Rehbein, Ryan, Schmidt, Shockley, Smith, Stovall, Tash, Tropila, Tuss, Wyatt, Zook.
Total 33

Noes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Gallus, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Simon, Sliter, Soft, Somerville, Squires, Story, Swanson, Taylor, Thomas, Vick, Wagner, Walters, Williams,

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Witt, Younkin, Mr. Speaker.
Total 65

Voted Absentee: Pavlovich, No.

Excused: Trexler.
Total 1

Absent or not voting: Hibbard.
Total 1

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-12.

Following: line 13

Insert: "Up to \$2 million in general fund money from items 10c and 10d is appropriated over the biennium to the foster care program if children are decertified from mental health services and the cost of providing ongoing mental health services is paid from the foster care budget."

Amendment failed as follows:

Ayes: Barnhart, Beck, Brainard, Buzzas, R. Clark, Cobb, Dell, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Hurdle, Juneau, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Peck, Raney, Rehbein, Ryan, Schmidt, Shockley, Smith, Squires, Story, Tropila, Tuss, Wyatt.
Total 39

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, Curtiss, Dale, Davies, Eggers, Ewer, Fisher, Grinde, Haines, Hanson, Harrington, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Rose, Simon, Sliter, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Thomas, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 59

Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: None.
Total 0

HB 2 - Representative Cobb moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-4.

Following: line 3

Insert: "The department shall maintain a message board on its website beginning October 1, 1999."

Amendment adopted as follows:

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

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Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: P. Clark, Ewer, Hanson, Hedges, Jackson, Johnson, Jore, Kasten, Lawson, Lenhart, McCann, Rehbein, Somerville, Vick.

Total 14

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Dale, Fuchs, Squires.

Total 3

HB 2 - Representative Molnar moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1, line 10.

Strike: "18,892,894 17,059,834" Gen fund, fed funds FY00

Strike: "19,395,212 17,557,732" Gen fund, fed funds FY01

Insert: "18,698,180 16,987,816" Gen fund, fed funds FY00

Insert: "19,196,343 17,484,178" Gen fund, fed funds FY00

Amendment failed as follows:

Ayes: Adams, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Curtiss, Davies, Fuchs, Grinde, Haines, Jackson, Jore, Lenhart, Masolo, McGee, Molnar, Mood, Orr, Rehbein, Shockley, Sliter, Somerville, Story, Vick, Wagner, Walters, Younkin, Mr. Speaker.

Total 29

Noes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Buzzas, E. Clark, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Zook.

Total 69

Voted Absentee: Pavlovich, No.

Excused: Trexler.

Total 1

Absent or not voting: Dale.

Total 1

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HB 2 - Representative Gutsche moved **HB 2**, second reading copy, be further amended as follows :

1. Page B-1, line 20.

Strike: "42,579,222 43,523,754" General Fund

Insert: "42,779,222 43,723,754" General Fund

Amendment failed as follows:

Ayes: Barnhart, 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, McCulloch, McGee, Menahan, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 44

Noes: 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, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 54

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: None.

Total 0

Representative Kasten moved to close Section B. Motion carried as follows:

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

Total 83

Noes: Buzzas, Cobb, Fuchs, Galvin-Halcro, Golie, Jore, Mangan, McGee, Molnar, Vick, Wagner, Wyatt.

Total 12

Excused: Pavlovich, Trexler.

Total 2

Absent or not voting: Beck, Gutsche, Rehbein.

Total 3

Representative Grinde moved the committee rise and report progress on **HB 2**. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Simon moved the Committee of the Whole report be adopted.

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Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Taylor, Thomas, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 75

Noes: E. Bergsagel, P. Bergsagel, Brainard, Buzzas, Cobb, Fuchs, Galvin-Halcro, Golie, Jore, Mangan, Molnar, Rehbein, Tuss, Wyatt.
Total 14

Excused: Pavlovich, Trexler.
Total 2

Absent or not voting: Bookout-Reinicke, Dale, Gillan, Kasten, Schmidt, Shockley, Story, Stovall, Tash.
Total 9

MOTIONS

Representative Grinde moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to **SB 54**. Motion carried.

The Speaker appointed the following members:

Representative Soft, Chairman
Representative Ahner
Representative Hurdle

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 9:00 a.m., Wednesday, March 17, 1999. Motion carried.

House adjourned at 5:35 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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