

**HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 18, 1999

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Dr. David Thye, from Phoenix, Arizona. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Masolo. Quorum present.

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

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

Correctly printed: **SB 216, SB 219, SB 276, SB 371, SB 398, SB 469, SB 470, SB 478.**

Correctly enrolled: **HB 142, HB 373, HB 522.**

Signed by the Speaker at 7:17 a.m., March 18, 1999: **HB 418, HB 492, HB 495, HB 615.**

Delivered to the Governor for his approval at 9:30 a.m., March 18, 1999: **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.**

APPROPRIATIONS (Zook, Chairman):

HB 7, introduced bill, be amended as follows:

3/15/1999

1. Title, page 1, line 9.

Following: "GRANTS;"

Insert: "AMENDING SECTION 2, CHAPTER 552, LAWS OF 1991, SECTION 2, CHAPTER 454, LAWS OF 1995, AND SECTION 2, CHAPTER 108, LAWS OF 1997;"

2. Page 1, line 14.

Strike: "\$3 million"

Insert: "\$3,233,197"

3. Page 2, line 9 through line 14.

Strike: lines 9 through 14 in their entirety

4. Page 2, line 17 through line 18.

Strike: lines 17 and 18 in their entirety

5. Page 3, line 7 through line 15.

Strike: lines 7 through line 15 in their entirety

6. Page 3, line 18 through line 22.

Strike: lines 18 through 22 in their entirety

Insert: "TOWNSEND, CITY OF

East Pacific Mine Reclamation 202,500

MONTANA TECH OF THE UNIVERSITY OF MONTANA

Champion International Gravel Pit

Reclamation Project 57,494

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LEWISTOWN, CITY OF

Source Location of Hazardous Organic Contaminants
Spring Creek Drainage 50,000

GLASGOW IRRIGATION DISTRICT

St. Mary Diversion Repairs 110,818

MONTANA BOARD OF OIL AND GAS CONSERVATION

Oil Well Abandonment 20,105"

7. Page 4, line 11.

Strike: "5"

Insert: "8"

8. Page 4, line 28.

Strike: "5"

Insert: "8"

9. Page 4, line 30.

Insert: "Section 6. Section 2, Chapter 552, Laws of 1991, is amended to read: The appropriations for reclamation and development grants in section 2, Chapter 552, Laws of 1991, at page 1801 of the 1991 Montana Session Laws, are amended to read: CHINOOK IRRIGATION DISTRICT

Milk River Water Supply Project, Rehabilitation and Betterment Element
189,182

~~300,000~~

Section 7. Section 2, Chapter 454, Laws of 1995, is amended to read: The appropriations for reclamation and development grants in section 2, Chapter 454, Laws of 1995, at page 2157 of the 1995 Montana Session Laws, are amended to read: STATE LANDS, DEPARTMENT OF*

Oil Well Abandonment ~~183,260~~ 163,155

Section 8. Section 2, Chapter 108, Laws of 1997, is amended to read: The appropriations for reclamation and development grants in section 2, chapter 108, Laws of 1997, at page 559 of the 1997 Montana Session Laws, are amended to read: ENVIRONMENTAL QUALITY - ABANDONED, DEPARTMENT OF

Nancy Lee Mine Complex Reclamation 286,914 84,640

"

Renumber: subsequent sections

10. Page 5, line 3.

Strike: "5"

Insert: "8"

And, as amended, do pass. Report adopted.

HB 72, do pass. Report adopted.

3/18/1999

HB 532, introduced bill, be amended as follows:

1. Title, line 4.

Following: "TO"

Insert: "DECIDE WITHIN 10 DAYS AFTER A REQUEST FOR FINAL ACCEPTANCE BY THE

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CONSTRUCTION CONTRACTOR WHETHER OR NOT TO FINALLY ACCEPT THE
CONSTRUCTION OF A BUILDING AND TO"

2. Title, line 5.

Strike: "60"

Insert: "30"

3. Title, lines 5 and 6.

Strike: "SUBSTANTIAL COMPLETION"

Insert: "FINAL ACCEPTANCE"

4. Title, line 6.

Strike: "CONTRACT"

Insert: "CONSTRUCTION OF THE BUILDING"

5. Page 1, line 11.

Following: "Time"

Insert: "of final acceptance and"

6. Page 1, line 13.

Strike: "60"

Insert: "10 days after a request by the construction contractor for final acceptance, decide whether or not to make final acceptance. Within 30"

Strike: "the substantial completion of the building"

Insert: "final acceptance by the government entity"

Following: "building,"

Insert: "the government entity shall"

7. Page 1.

Following: line 21

Insert: "(c) "Final acceptance" means the government entity's acceptance of the construction of a building by the contractor upon certification by the architect, project engineer, or other representative of the government entity of final completion of the building.

(d) "Final completion" means that the building has been completed in accordance with the terms and conditions of the contract documents."

Renumber: subsequent subsections

8. Page 1, lines 25 through 28.

Strike: subsection (3)(d) in its entirety

9. Page 2, line 1.

Strike: "60-day"

Insert: "30-day"

And, as amended, do pass. Report adopted.

HB 621, introduced bill, be amended as follows:

1. Title, line 9.

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Following: "AN"

Insert: "IMMEDIATE"

2. Page 1, line 14.

Following: "\$300,000"

Strike: "for" through "2001"

Strike: "The"

Insert: "Except as provided in subsection (6), the"

3. Page 1, line 15.

Strike: "for grants"

Insert: "as a grant"

Following: the first "to"

Insert: "a"

Following: "local"

Strike: "governments"

Insert: "government"

Following: "submitting"

Strike: "proposals"

Insert: "a nationally competitive proposal"

4. Page 1, line 23.

Strike: "(4)" through "that the"

Insert: "Following review and consideration by the primary contractor of all proposals for siting the venture star project, only a"

Following: "government"

Insert: "that"

ReNUMBER: subsequent subsection

5. Page 1, line 24.

Strike: "not"

Insert: "identified by the primary contractor to be"

Following: "candidate"

Insert: "among other competing states"

Following: "Montana"

Strike: ", " through "of"

Insert: "may receive and expend"

6. Page 1, line 25.

Strike: "may" through "government"

7. Page 1, line 26.

Following: "subsection"

Strike: "(4)"

Insert: "(3)"

8. Page 1, lines 26 and 27.

Strike: "must" on line 26 through "are returned" on line 27

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9. Page 1, line 28.

Strike: "June 30, 2001"

Insert: "December 31, 1999"

10. Page 1.

Following: line 28

Insert: "(5) Except as provided in subsection (6), for the purposes of this section, it is the intent of the legislature that the appropriated funds be used to assist a local government in Montana in competing with venture star proposals submitted by other states, but not with proposals submitted by or for other sites in Montana.

(6) If, after the review and consideration under subsection (3), the primary contractor determines that more than one proposal or site in Montana is competitive among all other states' proposals for the venture star site, the department of commerce shall grant funds to each of those competitive sites."

11. Page 1, line 30.

Strike: "July 1, 1999"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

SB 46, be amended as follows:

1. Title, line 5.

Strike: "DEPOSIT"

Insert: "RECORDING"

2. Page 1, line 13.

Strike: "deposit"

Insert: "recording and use"

3. Page 1, line 16.

Strike: "payment to"

Insert: "settlement involving"

4. Page 1, line 17.

Strike: "payment must be deposited"

Insert: "settlement proceeds, including cash or other assets, whether received by the state or a third party, must be recorded"

5. Page 1, line 18.

Strike: "deposited"

Insert: "recorded"

6. Page 1, line 19.

Strike: "deposit"

Insert: "recording"

Following: "the"

Strike: "payment"

Insert: "settlement"

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7. Page 1, line 20.

Strike: "deposited"

Insert: "recorded"

Following: " _ "

Insert: "The provisions of this section do not apply to the portions of a settlement negotiated on behalf of or paid to a party other than the state."

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

SB 333, be concurred in. Report adopted.

JUDICIARY (Clark, Chairman):

3/18/1999

SB 190, be concurred in. Report adopted.

SB 215, be concurred in. Report adopted.

SB 221, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on Senate Bill 325
Report No. 1, March 18, 1999

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 325** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 325** (reference copy -- salmon) be amended as follows:

1. Title, line 5.

Following: "ACCLAMATION"

Insert: "WHEN THE NUMBER OF CANDIDATES FILING FOR A POSITION OR FILING A DECLARATION OF INTENT AS A WRITE-IN CANDIDATE IS EQUAL TO THE NUMBER OF POSITIONS TO BE ELECTED AND"

2. Page 1, line 11.

Following: "candidates"

Strike: "nominated"

Insert: "filing for a position or filing a declaration of intent to be a write-in candidate under 13-10-211"

3. Page 1, line 12.

Strike: "or less than"

4. Page 1, line 13.

Following: "held."

Insert: "Notice must be given no later than 14 days before the election."

5. Page 1, line 15.

Strike: "a nomination petition"

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Following: "position"

Insert: "or who filed a declaration of intent to be a write-in candidate"

For the Senate:

Hertel, Chairman
Waterman
Wells

For the House:

Story, Chairman
Golie
Rehbein

MESSAGES FROM THE SENATE

HB 126, introduced by Johnson, 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:

3/17/1999

Yeas - 49
Nays - 0

HB 129, introduced by Stovall, 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:

3/17/1999

Yeas - 49
Nays - 0

House amendments to Senate bills concurred in:

3/17/1999

SB 112, introduced by Franklin

SB 128, introduced by Christiaens

House bills concurred in and returned to the House:

3/17/1999

HB 17, introduced by Lawson

HB 44, introduced by Johnson

HB 136, introduced by Williams

HB 167, introduced by Johnson

HB 227, introduced by Molnar

HB 228, introduced by Ewer

HB 230, introduced by Holden

HB 512, introduced by Soft

HB 561, introduced by Gallus

House joint resolution concurred in and returned to the House:

3/17/1999

HJR 25, introduced by Gillan

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

3/17/1999

HB 100, introduced by Simon

HB 187, introduced by Tropila

HB 557, introduced by Ewer

HB 592, introduced by Hibbard

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MESSAGES FROM THE GOVERNOR

March 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 24** sponsored by Representative Soft, **House Bill 170** sponsored by Representative Masolo, **House Bill 392** sponsored by Representative Tash et al., **House Bill 454** sponsored by Representative Soft et al., **House Bill 467** sponsored by Representative Hibbard et al., and **House Bill 531** sponsored by Representative Gillan on March 17, 1999.

Sincerely,

MARC RACICOT
Governor

**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.

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

Representative Johnson gave opening remarks on Section E: Education.

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

1. Page E-1, line 4.

Strike: "4,075,516 4,057,881" [general fund fiscal 2000 and 2001]

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

Amendment failed as follows:

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

Total 40

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, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood,

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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

Voted Absentee: Masolo, No.

Excused: None.
Total 0

Absent or not voting: Eggers, Ryan.
Total 2

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

1. Page E-1.

Following: line 14.

Insert: "f. Montana Advisory Council on Indian Education Activities (Restricted)

4,000 4,000" [general fund 2000 and 2001]

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, Kitzenberg, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Mr. Speaker.
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, Krenzler, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook.
Total 55

Voted Absentee: Masolo, No.

Excused: None.
Total 0

Absent or not voting: Barnhart.
Total 1

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

1. Page E-1.

Strike: Items 2 and 2 in amendment no. HB 2-4002

Amendment adopted as follows:

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

Total 86

Noes: Bookout-Reinicke, P. Clark, Galvin-Halcro, Hagener, Harrington, Lenhart, Mangan, Peck, Somerville, Walters, Wyatt.

Total 11

Voted Absentee: Masolo, Aye.

Excused: None.

Total 0

Absent or not voting: Ohs, Simon, Tash.

Total 3

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

1. Page E-1, line 20.

Strike: "70,555,027 73,050,875"

Insert: "70,085,027 72,580,875"

LFD will adjust totals.

Amendment adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, 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, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Galvin-Halcro, Tuss, Wyatt.

Total 3

Voted Absentee: Masolo, Aye.

Excused: None.

Total 0

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Absent or not voting: Brown, Facey, Somerville.
Total 3

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

1. Page E-2, line 1.

Strike: "407,429,061 401,495,784" [general fund fiscal 2000 and 2001]

Insert: "407,612,084 401,865,967" [general fund fiscal 2000 and 2001]

2. Page E-2, line 17.

Strike: "32,974,268 33,468,883" [general fund fiscal 2000 and 2001]

Insert: "33,930,000 35,390,000" [general fund fiscal 2000 and 2001]

Amendment failed as follows:

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

Total 46

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, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 54

Voted Absentee: Masolo, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

1. Page E-2, line 15.

Strike: "150,000 150,000"

Insert: "10,508 10,746"

Amendment failed as follows:

Ayes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Cobb, Dale, Davies, Fisher, Fuchs, Grinde, Jore, Kasten, McGee, Ohs, Orr, Rehbein, Sliter, Vick, Wagner, Walters, Mr. Speaker.

Total 23

Noes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche,

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Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.

Total 76

Voted Absentee: Masolo, No.

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

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

1. Page E-2, line 18.

Insert: "n. Montana Science Institute Grant

100,000 100,000" (general fund fiscal 2000 and general fund fiscal 2001)

Amendment failed as follows:

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

Total 41

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Krenzler, Lawson, Masolo, McGee, McKenney, Molnar, 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 59

Voted Absentee: Masolo, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

1. Page E-1, line 4.

Strike: "4,075,516 4,057,881" [general fund fiscal 2000 and 2001]

Insert: "4,200,516 4,182,881" [general fund fiscal 2000 and 2001]

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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, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 43

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, Lawson, Masolo, McCann, McGee, McKenney, Molnar, 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 57

Voted Absentee: Masolo, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

1. Page E-2.

Following: line 1

Strike: line 2 through line 3 in their entirety

Amendment failed as follows:

Ayes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, Brainard, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Jackson, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Sliter, Thomas, Vick, Wagner, Walters, Wyatt.

Total 26

Noes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, 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, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 73

Voted Absentee: Masolo, No.

Excused: None.

Total 0

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Absent or not voting: Story.
Total 1

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

1. Page E-2, line 17.

Strike: "32,974,268 33,468,883" [General Fund fiscal 2000 and 2001]

Insert: "33,232,167 33,730,674" [General Fund fiscal 2000 and 2001]

2. Page E-4, line 13.

Strike: "257,899 261,791" [General Fund fiscal 2000 and 2001]

LFD will amend totals.

Amendment failed as follows:

Ayes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, R. Clark, Cobb, Dale, Davies, Fuchs, Hanson, Holden, Jackson, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Shockley, Soft, Story, Taylor, Trexler, Vick, Wagner, Walters, Zook, Mr. Speaker.

Total 32

Noes: J. Andersen, S. Anderson, Barnhart, Beck, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin.

Total 68

Voted Absentee: Masolo, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

1. Page E-5, line 5.

Strike: "22,662 22,356" [general fund fiscal 2000 and 2001]

Insert: "45,278 44,972" [general fund fiscal 2000 and 2001]

Strike: "503,656 503,928" [SSR fiscal 2000 and 2001]

Insert: "493,254 478,962" [SSR fiscal 2000 and 2001]

LFD will adjust totals.

Amendment adopted as follows:

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Ayes: S. Anderson, Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.
Total 60

Noes: Adams, Ahner, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, R. Clark, Cobb, Curtiss, Dale, Davies, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, Mangan, McCann, McGee, McKenney, Molnar, Orr, Peck, Rehbein, Shockley, Simon, Sliter, Somerville, Story, Taylor, Trexler, Vick, Wagner, Walters, Mr. Speaker.
Total 40

Voted Absentee: Masolo, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

1. Page E-8, line 15.

Following: "line 14

Insert: "j. Resident Tuition Reduction Contingent General Fund Appropriation 136,448 1,575,806" (general fund fiscal 2000 and general fund fiscal 2001)

2. Page E-12, line 3.

Following: line 2

Insert: "In item 7j, \$136,448 in general fund money is appropriated to the Montana university system for current unrestricted fund operating expenses in fiscal year 2000 if resident student tuition rates approved by the board of regents for the fiscal 2000 academic year do not exceed 103.75% of the fiscal year 1999 rates. General fund money of \$1,575,806 is appropriated for current unrestricted fund operating expenses in fiscal year 2001 if resident student tuition rates approved by the board of regents for the fiscal 2001 academic year do not exceed 101.5% of the fiscal year 2000 rates."

Amendment failed as follows:

Ayes: Barnhart, Beck, Brainard, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Hagener, Harper, Harrington, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Smith, Squires, Tropila, Tuss, Wyatt, Younkin.
Total 37

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

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Total 61

Voted Absentee: Masolo, No.

Excused: None.

Total 0

Absent or not voting: Fuchs, McCulloch.

Total 2

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

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

Total 77

Noes: E. Bergsagel, Bitney, Brainard, Cobb, Gallus, Galvin-Halcro, Golie, Hurdle, Jore, Mangan, McGee, Menahan, Molnar, Rehbein, Somerville, Tropila, Wagner, Wyatt.

Total 18

Excused: Masolo.

Total 1

Absent or not voting: Eggers, Gillan, Pavlovich, Tuss.

Total 4

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 12:00 p.m., Friday, March 19, 1999. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House