

**HOUSE JOURNAL
EIGHTY-THIRD LEGISLATIVE DAY**

Helena, Montana
April 16, 1999

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Representative McKenney. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Curtiss, Dale, Juneau, and Kitzenberg. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-ninth, eightieth, eighty-first, and eighty-second legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

4/16/1999

Correctly printed: **SJR 21**.

Correctly engrossed: **SB 333**.

Examined by the sponsor and found to be correct on April 15, 1999: **HB 132, HB 150, HB 155, HB 180, HB 186, HB 187, HB 189, HB 192, HB 203, HB 204, HB 207, HB 215, HB 221, HB 255, HB 257, HB 282, HB 301, HB 321, HB 339, HB 366, HB 379, HB 395, HB 396, HB 399, HB 404, HB 405, HB 435, HB 444, HB 461, HB 486, HB 502, HB 504, HB 526, HB 532, HB 638, HB 652, HB 656, HB 657, HB 659.**

Signed by the Speaker at 9:01 a.m., April 16, 1999: **HB 132, HB 150, HB 155, HB 180, HB 186, HB 187, HB 189, HB 192, HB 203, HB 204, HB 207, HB 215, HB 221, HB 255, HB 257, HB 282, HB 301, HB 321, HB 339.**

Signed by the Speaker at 1:03 p.m., April 16, 1999: **HB 366, HB 379, HB 395, HB 396, HB 399, HB 404, HB 405, HB 435, HB 444, HB 461, HB 486, HB 502, HB 504, HB 526, HB 532, HB 638, HB 652, HB 656, HB 657, HB 659.**

Delivered to the Secretary of State: **HJR 34**.

Delivered to the Governor for his approval at 9:40 a.m., April 16, 1999: **HB 59, HB 69, HB 71, HB 72, HB 90, HB 98, HB 107, HB 109, HB 113, HB 135, HB 188, HB 209, HB 232, HB 275, HB 304, HB 348, HB 430, HB 482, HB 513, HB 578, HB 580, HB 592, HB 630.**

Delivered to the Governor for his approval at 2:35 p.m., April 16, 1999: **HB 366**.

Delivered to the Governor for his approval at 3:50 p.m., April 16, 1999: **HB 132, HB 150, HB 155, HB 180, HB 186, HB 187, HB 189, HB 192, HB 203, HB 204, HB 207, HB 215, HB 221, HB 255, HB 257, HB 282, HB 301, HB 321, HB 339.**

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on House Bill 11

Report No. 1, April 16, 1999

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 11** (reference copy -- salmon) and recommend

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this Free Conference Committee report be adopted.

And, recommend that **House Bill 11** (reference copy -- salmon) be amended as follows:

1. Page 6, line 26.

Following: "ENACTED"

Insert: "or is invalidated by a final judicial decision"

For the House:

Mood, Chairman
McCann
Sliter

For the Senate:

T. Beck, Chairman
Lynch
Swysgood

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 182
Report No. 1, April 16, 1999

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 182** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 182** (reference copy -- salmon) be amended as follows:

1. Title, line 22.

Strike: "19-20-502,"

2. Page 9, line 30 through page 10, line 2.

Strike: "THE BOARD" on page 9 through "SYSTEM." on page 10, line 2

3. Page 64, line 20 through page 65, line 3.

Strike: "section 96" in its entirety

Renumber: subsequent sections

For the House:

Mood, Chairman
Ahner
Dell

For the Senate:

Hargrove, Chairman
Sprague
Tester

FREE CONFERENCE COMMITTEE
on House Bill 337
Report No. 1, April 16, 1999

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 337** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

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And, recommend that **House Bill 337** (reference copy -- salmon) be amended as follows:

1. Page 2, lines 15 and 16.
Strike: "and other" on line 15
Following: "contracts" on line 15
Strike: remainder of line 15 through "contracts" on line 16

For the House:

E. Bergsagel, Chairman
R. Johnson

For the Senate:

F. Thomas, Chairman
Cocchiarella
Sprague

CONFERENCE COMMITTEE
on House Bill 420
Report No. 1, April 16, 1999

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 420** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 420** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 10.
Strike: "AN"
Insert: "A RETROACTIVE"
2. Page 2, line 12.
Following: "**retroactive**"
Insert: "retroactive"
3. Page 2, line 13.
Following: "~~1-2-109~~,"
Insert: "retroactively, within the meaning of 1-2-109,"
4. Page 2, line 14.
Strike: "1999"
Insert: "1998"

For the House:

Hanson, Chairman
Gillan

For the Senate:

Keating, Chairman
Crismore
Nelson

FREE CONFERENCE COMMITTEE

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on House Bill 470
Report No. 1, April 16, 1999

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 470** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 470** (reference copy -- salmon) be amended as follows:

1. Title, page 1, lines 9 and 10.

Following: "PROVIDERS"

Strike: "the remainder of line 9 through ALLOCATION on line 10.

Insert: "APPROPRIATING UP TO \$1 MILLION IN GENERAL FUND MONEY FOR THE MONTANA STATE HOSPITAL IN THE 2001 BIENNIUM FROM GENERAL FUND APPROPRIATIONS REVERTED IN FISCAL YEAR 1999"

2. Page 2, line 2 through line 10.

Strike: sections 2 and 3 in their entirety

Insert: "NEW SECTION. Section 2. Appropriation for Montana state hospital. The department of public health and human services is appropriated up to \$1 million in general fund money in the 2001 biennium from reversions of general fund money appropriated to the department in fiscal year 1999. The 2001 biennial general fund appropriation authorized by this section may not be greater than the amount of general fund money reverted by the department in fiscal year 1999. The appropriation may be used only for services provided by the Montana state hospital and may not be included in the base budget or present law budget for the 2003 biennium budget."

Renumber: subsequent section

For the House:

Cobb, Chairman
Barnhart

For the Senate:

Swysgood, Chairman
Keenan
Waterman

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 528
Report No. 2, April 15, 1999

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 528** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 528** (reference copy -- salmon) be amended as follows:

1. Page 2, line 26.

Following: line 25

Insert: "NEW SECTION. Section 1. Recognition of American Indian cultural heritage -- legislative intent."

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(1) It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of American Indians and to be committed in its educational goals to the preservation of their cultural heritage.

(2) It is the intent of the legislature that in accordance with Article X, section 1(2), of the Montana constitution:

(a) every Montanan, whether Indian or non-Indian, be encouraged to learn about the distinct and unique heritage of American Indians in a culturally responsive manner; and

(b) every educational agency and all educational personnel will work cooperatively with Montana tribes or those tribes that are in close proximity, when providing instruction or when implementing an educational goal or adopting a rule related to the education of each Montana citizen, to include information specific to the cultural heritage and contemporary contributions of American Indians, with particular emphasis on Montana Indian tribal groups and governments.

(3) It is also the intent of [sections 1 through 3], predicated on the belief that all school personnel should have an understanding and awareness of Indian tribes to help them relate effectively with Indian students and parents, that educational personnel provide means by which school personnel will gain an understanding of and appreciation for the American Indian people."

Renumber: subsequent sections

2. Page 2, line 28.

Strike: "AND 2"

Insert: "through 3"

3. Page 4, lines 22 and 24.

Strike: "AND 2" on both lines

Insert: "through 3" on both lines

For the House:

Walters, Chairman
Juneau
Rose

For the Senate:

Ekegren, Chairman
Eck
Jabs

FREE CONFERENCE COMMITTEE
on House Bill 648
Report No. 1, April 16, 1999

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 648** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 648** (reference copy -- salmon) be accepted by the House.

For the House:

Anderson
Menahan

For the Senate:

Cole, Chairman
DePratu
Lynch

CONFERENCE COMMITTEE

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on House Amendments to Senate Bill 205
Report No. 1, April 16, 1999

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 205** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 205** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 13.

Strike: "EXCLUDING FUEL SOLD TO THE FEDERAL DEFENSE FUEL SUPPLY CENTER;"

2. Title, page 1, line 15.

Following: "RECEIVE;"

Insert: "INCREASING BY 1 CENT THE CREDIT OR REFUND THAT A REFINERY OR DISTRIBUTOR SELLING CERTAIN TYPES OF JET FUEL TO A FEDERAL DEFENSE FUEL SUPPLY CENTER IS ENTITLED TO RECEIVE;"

3. Page 1, line 25 through line 26.

Strike: "OTHER" on line 25 through "CENTER," on line 26

4. Page 7, line 5 through page 9, line 10.

Strike: section 3 in its entirety

Insert: "**Section 3.** Section 15-70-221, MCA, is amended to read:

"15-70-221. (Temporary) Refund or credit authorized. (1) A person who purchases and uses any gasoline on which the Montana gasoline license tax has been paid for denaturing alcohol to be used in gasohol, for operating or propelling stationary gasoline engines or tractors used off the public highways and streets, or for any commercial use other than propelling vehicles upon any of the public highways or streets of this state is allowed a refund of the amount of tax paid directly or indirectly on the gasoline. The refund may not exceed the tax paid or to be paid to the state. Except as provided in subsection (5) or (6), a refund is not allowed for the tax per gallon upon aviation fuel allocated to the department of transportation by 67-1-301.

(2) A distributor who pays the gasoline license tax to this state erroneously is allowed a credit or refund of the amount of tax paid.

(3) (a) A distributor is entitled to a credit for the tax paid to the department on those sales of gasoline with a tax liability of \$200 or greater for which the distributor has not received consideration from or on behalf of the purchaser and for which the distributor has not forgiven any liability. The distributor may not have declared the accounts of the purchaser worthless more than once during a 3-year period, and the distributor must have claimed those accounts as bad debts for federal income tax purposes.

(b) If a credit has been granted under this subsection (3), any amount collected on the accounts that were declared worthless must be reported to the department and the tax due must be prorated on the collected amount and must be paid to the department.

(c) The department may require a distributor to submit periodic reports listing accounts that are delinquent for 90 days or more.

(4) A person who purchases and exports for sale, use, or consumption outside Montana gasoline on which the Montana gasoline tax has been paid is entitled to a credit or refund of the amount of tax paid unless the person is not licensed and is not paying the tax to the state the fuel is destined for. The credit or refund will be made upon completion of the information reports required under 15-70-209 and presentation to the department of proof of delivery outside Montana as it may by rule require.

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(5) A scheduled passenger air carrier certified under 14 CFR, part 121 or 135, may claim a refund of 2 cents on each gallon of aviation fuel purchased by the carrier on which the Montana gasoline license tax has been paid.

(6) A Montana refinery or distributor who sells JP-4 or JP-8 jet fuel to the federal defense fuel supply center is entitled to a credit or refund of ~~2~~ 3 cents a gallon for each gallon that is sold to the supply center and on which the gasoline license tax has been paid. (Terminates on occurrence of contingency--sec. 17, Ch. 642, L. 1993.)

15-70-221. (Effective on occurrence of contingency) Refund or credit authorized. (1) A person who purchases and uses any gasoline on which the Montana gasoline license tax has been paid for denaturing alcohol to be used in gasohol, for operating or propelling stationary gasoline engines or tractors used off the public highways and streets, or for any commercial use other than propelling vehicles upon any of the public highways or streets of this state is allowed a refund of the amount of tax paid directly or indirectly on the gasoline. The refund may not exceed the tax paid or to be paid to the state. Except as provided in subsection (5) or (6), a refund is not allowed for the tax per gallon upon aviation fuel allocated to the department of transportation by 67-1-301.

(2) A distributor who pays the gasoline license tax to this state erroneously is allowed a credit or refund of the amount of tax ~~so~~ paid.

(3) (a) A distributor is entitled to a credit for the tax paid to the department on those sales of gasoline with a tax liability of \$200 or greater for which the distributor has not received consideration from or on behalf of the purchaser and for which the distributor has not forgiven any liability. The distributor may not have declared the accounts of the purchaser worthless more than once during a 3-year period, and the distributor must have claimed those accounts as bad debts for federal income tax purposes.

(b) If a credit has been granted under this subsection (3), any amount collected on the accounts that were declared worthless must be reported to the department and the tax due must be prorated on the collected amount and must be paid to the department.

(c) The department may require a distributor to submit periodic reports listing accounts that are delinquent for 90 days or more.

(4) A person who purchases and exports for sale, use, or consumption outside Montana gasoline on which the Montana gasoline tax has been paid is entitled to a credit or refund of the amount of tax paid unless the person is not licensed and is not paying the tax to the state the fuel is destined for. The credit or refund will be made upon completion of the information reports required under 15-70-209 and presentation to the department of proof of delivery outside Montana as it may by rule require.

(5) A scheduled passenger air carrier certified under 14 CFR, part 121 or 135, may claim a refund of 1 cent on each gallon of aviation fuel purchased by the carrier on which the Montana gasoline license tax has been paid.

(6) A Montana refinery or distributor who sells JP-4 or JP-8 jet fuel to the federal defense fuel supply center is entitled to a credit or refund of 1 cent a gallon for each gallon that is sold to the supply center and on which the gasoline license tax has been paid." "

For the Senate:

McNutt, Chairman
Hertel
Tester

For the House:

Rose, Chairman
Rehbein

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/15/1999

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SB 172, introduced by Waterman
SB 192, introduced by Bohlinger
SB 342, introduced by Hargrove
SB 460, introduced by Ellis

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/15/1999

HB 350, introduced by Brainard
HB 515, introduced by Grinde
HB 540, introduced by Grinde
HB 670, introduced by Eggers
HB 674, introduced by Hibbard
HB 678, introduced by Story

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments: 4/15/1999

HJR 35, introduced by Wyatt

Free conference committee report #1 adopted: 4/15/1999

HB 100, introduced by Simon
SB 33, introduced by F. Thomas
SB 229, introduced by F. Thomas
SB 458, introduced by F. Thomas

Conference committee report #1 adopted:

HB 459, introduced by R. Clark
SB 334, introduced by Mesaros 4/15/1999

The Senate failed to adopt free conference committee report #1:: 4/15/1999

HB 315, introduced by Raney

MESSAGES FROM THE GOVERNOR

April 15, 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 412** sponsored by Representative Juneau on April 15, 1999.

Sincerely,

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MARC RACICOT
Governor

April 16, 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 310, **“AN ACT ESTABLISHING DRUG-FREE AND CRIME-FREE SCHOOLS; REQUIRING THE YOUTH COURT TO NOTIFY A SCHOOL WHEN A JUVENILE PROBATION OFFICER HAS REASON TO BELIEVE THAT A YOUTH IS CURRENTLY INVOLVED IN DRUG USE OR OTHER CRIMINAL ACTIVITY BEARING ON THE SAFETY OF CHILDREN; AUTHORIZING A SCHOOL TO PROVIDE TO YOUTH COURT AND LAW ENFORCEMENT AUTHORITIES EDUCATION RECORDS THAT PERTAIN TO VIOLATIONS OF THE MONTANA YOUTH COURT ACT OR CRIMINAL LAWS BY PUPILS; AND AMENDING SECTIONS 41-5-215 AND 52-2-211, MCA,”** for the following reason.

House Bill 310 provides, in part, that Youth Courts have a duty under certain circumstances to report to school districts suspected drug use or criminal activity. A codification problem has arisen in the bill, due to the passage of a companion bill that also addresses Youth Court records, House Bill 176.

House Bill 310 includes a change to a part of section 41-5-215(1), MCA, that no longer exists due to passage and approval of House Bill No. 176. The amendment that House Bill 310 makes in this regard is not substantive and can be removed without altering the substance of the bill. Left unchanged, the amendment poses a difficult codification problem.

It is my understanding that Representative Molnar, the sponsor of the bill, has been notified of the proposed amendment that would correct the codification problem I have described.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HB 310
(Reference Bill)
April 16, 1999

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1. Page 1, lines 18 through 20.
Following: "(1)" on line 18
Strike: remainder of line 18 through "reports" on line 20
Insert: "Reports"

April 16, 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 366, **"AN ACT REVISING THE LAWS GOVERNING CHILD PROTECTIVE SERVICES; IMPLEMENTING THE FEDERAL ADOPTION AND SAFE FAMILIES ACT; CLARIFYING WHEN EFFORTS MUST BE MADE TO REUNIFY CHILDREN WITH ABUSIVE PARENTS; CLARIFYING WHEN PARENTAL RIGHTS MAY BE JUDICIALLY TERMINATED; AND AMENDING SECTIONS 41-3-101, 41-3-102, 41-3-108, 41-3-202, 41-3-203, 41-3-205, 41-3-303, 41-3-401, 41-3-403, 41-3-404, 41-3-406, 41-3-412, 41-3-607, 41-3-609, 41-3-1103, AND 42-2-608, MCA,"** for the following reasons.

House Bill 366 contains numerous revisions to the laws on child protective services. One of its amendments reduces the time within which a "show cause" hearing must be held on emergency placements. Existing law provides for a 20-day period, and House Bill 366 reduces that to 10 days.

I have received communications from individuals who work in this area of the law that it is not possible to comply within a 10- day time frame. Many district courts hear these types of petitions for temporary investigative authority and protective services on emergency placement on only one day a week. Parents (who are often not living together) must be located and served notice of the hearing. The time frame is also in conflict with the Indian Child Welfare Act. Finally, a possible unintended consequence of the shortened time frame will likely be that there will not be enough time in appropriate cases to amicably work out arrangements for family reunification before the process becomes too adversarial.

If this one-word change could be made in House Bill 366 it would prevent significant difficulty for judges, county attorneys and others who work in this area of the law.

It is my understanding that Representative Kasten, the sponsor of the bill, is in agreement with the proposed amendment.

Sincerely,

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MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HB 366
(2nd Reading Copy, 2nd House As Amended)
April 16, 1999

1. Page 15, line 9.

Strike: "10"

Insert: "20"

April 16, 1999

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

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

Dear President Crippen and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments Senate Bill 271, "**AN ACT PROVIDING LIMITS ON LIABILITY FOR EMPLOYERS WHO DISCLOSE INFORMATION ABOUT A FORMER OR CURRENT EMPLOYEE'S EMPLOYMENT-RELATED PERFORMANCE TO A PROSPECTIVE EMPLOYER; REPEALING SECTION 39-2-801, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE,**" for the following reasons.

Senate Bill 271 is intended to protect employers who disclose job-related employee information to a prospective employer, upon the request of the employee or prospective employer. The bill, as amended, is somewhat cumbersome, creating a presumption of good faith on the part of the employer and a variety of standards of proof for employees to overcome the presumption of good faith. The bill also repeals existing law which requires that an employer must, if asked by an employee, furnish the employee with a written statement of reasons for discharge.

In an attempt to simplify the protection intended for an employer who discloses job-related information to a prospective employer, I am proposing what I believe to be a much clearer rule. Employers would not be liable for damages unless they knowingly, purposely, or negligently disclosed false information. The terms "knowingly," "purposely," and "negligently" have established meanings in the law and are clearly defined in Title 45.

With respect to Senate Bill 271's repeal of the section 39-2-801, MCA, the requirement that an employer provide a written statement of reasons for discharge, the intent of this provision was to address the inability of employers to fully defend themselves if an employee brought a wrongful discharge action. In recent court cases, employers have been prohibited from providing any reasons for termination of an employee beyond what was contained in the written statement required by section 39-2-801.

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I believe that a fairer method of addressing this problem would be to retain the existing requirement to furnish a statement of reasons for discharge, but to permit an employer to provide additional evidence of job-related performance if the discharge results in litigation against the employer. Under my proposed amendment, the law would protect the rights of both employees and employers.

For these reasons, I am returning Senate Bill 271 with proposed amendments. Senator Taylor, the sponsor of the bill, is aware of the amendments, and it is my understanding that he does not oppose them.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS TO
Senate Bill No. 271
(Reference Copy)
April 16, 1999

1. Title, line 8.

Following: "EMPLOYER;"

Insert: PROVIDING THAT AN EMPLOYER'S ANSWER TO A REQUEST FROM A DISCHARGED EMPLOYEE FOR THE REASONS FOR DISCHARGE MAY NOT LIMIT THE EMPLOYER'S RIGHT TO PRESENT A FULL DEFENSE IN ANY WRONGFUL DISCHARGE ACTION;"

2. Title, line 11.

Strike: "REPEALING"

Insert: "AMENDING"

3. Page 1, line 17.

Strike: "(1)"

4. Page 1, line 19.

Following: "~~employee~~"

Insert: "or former or current employee"

5. Page 1, line 20.

Strike: "PRESUMED TO BE ACTING IN GOOD FAITH AND IS"

6. Page 1, line 21.

Following: "knowingly"

Strike: "or"

Insert: ", "

Following: "purposely"

Insert: ", or negligently"

7. Page 1, line 22.

Following: "."

Insert: "For the purposes of this section, the definitions of knowingly, purposely, and negligently are those contained in 45-2-101."

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8. Page 1, line 23.

Strike: "(2)"

9. Page 1, line 27 through page 2, line 5.

Strike: "THE" on page 1, line 27 through "EMPLOYERS." on page 2, line 5

10. Page 2, line 19.

Strike: line 19 in its entirety

Insert: "Section 2. Section 39-2-801, MCA, is amended to read:

"39-2-801. Employee to be furnished on demand reason of discharge. (1) It is the duty of any person after having discharged any employee from his service, upon demand by such the discharged employee, to furnish him the discharged employee in writing a full, succinct, and complete statement of the reason of his reasons for the discharge, and Except as provided in subsection (3), if such the person refuses ~~to~~ to do so within a reasonable time after such the demand, it is unlawful thereafter for such the person to furnish any statement of the reasons of such for the discharge to any person or in any way to blacklist or to prevent such the discharged person from procuring employment elsewhere, subject to the penalties and damages prescribed in this part.

(2) A written demand under this part must advise the person who discharged the employee of the possibility that the statements may be used in litigation.

(3) A response to the demand may be modified at any time and may not limit a person's ability to present a full defense in any action brought by the discharged employee. Failure to provide a response as required under subsection (1) may not limit a person's ability to present a full defense in any action brought by the discharged employee."

April 15, 1999

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

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

Dear President Crippen and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments Senate Bill 361, "AN ACT TRANSFERRING CERTAIN REGULATORY AUTHORITY OVER GAME FARMS FROM THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO THE DEPARTMENT OF LIVESTOCK; REVISING DEFINITIONS AND TERMINOLOGY RELATED TO GAME FARMS AND GAME FARM ANIMALS TO MEAN ALTERNATIVE LIVESTOCK RANCHES AND ALTERNATIVE LIVESTOCK; INCREASING ANNUAL LICENSE RENEWAL FEES; REVISING LICENSING REQUIREMENTS, REQUIREMENTS FOR REMOVAL OF GAME ANIMALS FROM ALTERNATIVE LIVESTOCK RANCHES, INSPECTION REQUIREMENTS, PENALTIES, RULEMAKING REQUIREMENTS, AND PROVISIONS REGARDING INGRESS AND EGRESS; RENAMING THE GAME FARM ADVISORY COUNCIL AS THE ALTERNATIVE LIVESTOCK ADVISORY COUNCIL AND REVISING COUNCIL DUTIES WITH REGARD TO REVIEW OF LICENSE APPLICATIONS; REQUIRING ADOPTION OF A PROGRAMMATIC REVIEW PROCESS TO ASSESS ENVIRONMENTAL IMPACTS ASSOCIATED WITH A NEW ALTERNATIVE LIVESTOCK RANCH;

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AMENDING SECTIONS 81-1-102, 81-2-102, 81-2-702, 81-3-102, 81-9-217, 87-4-406, 87-4-407, 87-4-408, 87-4-409, 87-4-410, 87-4-411, 87-4-412, 87-4-413, 87-4-414, 87-4-415, 87-4-416, 87-4-417, 87-4-418, 87-4-420, 87-4-422, 87-4-423, 87-4-424, 87-4-426, 87-4-427, 87-4-428, AND 87-4-432, MCA; REPEALING SECTION 87-4-419, MCA; AND PROVIDING EFFECTIVE DATES,” for the following reasons.

As introduced, Senate Bill No. 361 proposed to transfer all authority over the alternative livestock industry from the Department of Fish, Wildlife, and Parks (“FWP”) to the Department of Livestock (“DOL”). However, concerns by members of the Senate about increased liability and the financial constraints of DOL resulted in the bill being amended.

While we have concerns about many aspects of the bill, unfortunately, the amended bill creates even more uncertainty in the two departments’ ability to administer this program. It is flawed because it places authority with one agency and responsibility with another, thereby ensuring that neither Department can do the job in a truly satisfactory manner.

A central issue in the environmental review and licensing of game farms is how to construct a game-proof fence as required by statute. Under Senate Bill No. 361, DOL would be responsible for reviewing compliance with the fencing requirements of the environmental documents in order to establish whether there is a basis for granting, denying or issuing a license with stipulations--but FWP makes the final licensing decision. Such a process is not in keeping with my understanding of how an efficient, cost-effective and predictable licensing system should operate.

The same problem exists with the transfer of record keeping. FWP has revoked the licenses of several of those within the industry for stealing public wildlife. The prosecution of these thefts was based upon records and reports. Under Senate Bill No. 361, DOL is responsible for record keeping, but doesn’t have the authority to revoke a license; FWP has the authority to revoke a license, but doesn’t have the record keeping information that in the past has been a basis for license revocations.

During debate on this bill and during discussions with representatives of the alternative livestock industry, legitimate issues were raised regarding the administration of the existing program. The majority of the issues raised, however, are management issues that can be addressed by the Departments without this legislation.

The amendments I am proposing strike portions of the bill referenced above. With these amendments, the bill retains provisions allowing for the completion of a programmatic environmental impact statement and an increased role of the Advisory Council.

For these reasons I am returning Senate Bill No. 361 with proposed amendments.

Sincerely,

MARC RACICOT
Governor

GOVERNOR’S AMENDMENTS
TO SB 361
(2nd Reading Copy, 2nd House As Amended)
April 15, 1999

1. Title, lines 9 through 11.
Following: the second “ACT” on line 9

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Strike: "TRANSFERRING" on line 9 through "LIVESTOCK;" on line 11

2. Title, lines 14 and 15.

Following: "RANCHES," on line 14

Insert: "AND"

Strike: "INSPECTION" on line 14 through "PENALTIES," on line 15

3. Title, lines 15 and 16.

Following: the second "REQUIREMENTS" on line 15

Strike: ", AND" on line 15 through "EGRESS" on line 16

4. Title, line 22.

Following: "87-4-418,"

Insert: "87-4-419,"

5. Title, line 23.

Following: "~~AND~~"

Strike: "REPEALING SECTION 87-4-419, MCA;"

6. Page 1, line 30 through page 2, line 3.

Strike: "Transferral" on page 1, line 30 through "." on line page 2, line 3

7. Page 10, line 16.

Following: "has"

Insert: "primary"

8. Page 10, line 17.

Following: "licensing,"

Insert: "reports, recordkeeping, exterior fencing,"

9. Page 10, line 19.

Following: "87-4-410,"

Strike: "AND [SECTION 28(8)]"

10. Page 10, line 22.

Following: "has"

Insert: "primary"

11. Page 10, line 26.

Strike: "REPORTS AND RECORDKEEPING, EXTERIOR FENCING,"

12. Page 11, line 17.

Following: "agent;"

Strike: "and"

13. Page 11, line 19

Following: "corporation;"

Insert: "; and

(j) information demonstrating that the applicant is responsible"

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14. Page 12, lines 4 and 5.

Following: "and" on line 4

Strike: "DEPARTMENT" on line 4 through "LIVESTOCK" on line 5

15. Page 13.

Following: line 9

Insert: "(2) In addition to the fees assessed under subsection (1), the department shall charge applicants a fee of \$4 an acre based on the total number of acres indicated in the application for license. In cases of an application for a license modification, the fee applies only if an acreage expansion is proposed."

Renumber: subsequent subsections

16. Page 13, line 18.

Following: "SUBSECTION (1)"

Insert: "and all of the fees collected pursuant to subsection (2)"

17. Page 13, line 21.

Strike: "(2)"

Insert: "(3)"

18. Page 14, line 12.

Following: "department"

Strike: "AND THE DEPARTMENT OF LIVESTOCK"

19. Page 14, lines 14 and 15.

Following: "department"

Strike: "OF" on line 14 through "LIVESTOCK" on line 15

20. Page 14, lines 18 through 20.

Strike: subsection (3) in its entirety

21. Page 16, line 8.

Following: "(2)"

Insert: "(a)"

22. Page 16.

Following: line 10

Insert: "(b) A copy of the certificate of inspection must be provided by the department of livestock to the department within 10 days of inspection."

23. Page 17, lines 5 and 6.

Strike: "OF" on line 5 through "LIVESTOCK" on line 6

24. Page 17, line 17.

Page 17, line 21.

Page 17, line 23.

Page 17, line 24.

Page 19, line 6.

Page 19, line 8.

Page 20, line 27.

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Strike: "OF LIVESTOCK"

25. Page 17, lines 27 through 30.

Strike: subsection (4) in its entirety

26. Page 18.

Following line 5

Insert: "Section 20. Section 87-4-419, MCA, is amended to read **"87-4-419. Escape from game farm -- effect.** (1) If a ~~game farm~~ alternative livestock animal escapes from a ~~game farm~~ alternative livestock ranch, the ~~game farm~~ alternative livestock licensee shall immediately notify the department of its escape and shall make every reasonable effort to recapture it. If the escaped animal cannot be recaptured within a reasonable time, the department may kill the animal. If recapture or killing of the animal is unsuccessful within a reasonable time, the animal becomes the property of the state.

(2) The department shall by rule adopt a definition of "reasonable time", as used in this section, taking into consideration specific seasonal issues related to breeding and disease."

Renumber: subsequent sections

27. Page 18, line 14.

Page 18, line 18.

Following: "HAS"

Insert: "primary"

28. Page 18, line 14.

Following: "JURISDICTION"

Insert: "and to coordinate regulation of alternative livestock ranches with the department of livestock"

29. Page 18, line 18.

Following: "JURISDICTION"

Insert: "and to coordinate regulation of alternative livestock ranches with the department of fish, wildlife and parks"

30. Page 18, lines 19 through 25.

Strike: subsection (3) in its entirety

31. Page 19, lines 9 and 10.

Strike: "UPON" on line 9 through "LIVESTOCK" on line 10

32. Page 19, line 11.

Following: "(4)"

Insert: "(a)"

33. Page 19.

Following: line 17

Insert: "(b) The department, when it is determined to be necessary by the state veterinarian appointed pursuant to section 81-1-301, MCA, may require that diseased or potentially diseased alternative livestock be quarantined or destroyed."

34. Page 19, line 28.

Following: "department"

Insert: "of livestock"

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35. Page 20, lines 3 and 4.

Strike: "game" on line 3 and "farming" on line 4

Insert: "alternative livestock ranching"

36. Page 20, line 9.

Strike: "IF REQUESTED, COPIES"

Insert: "Copies"

37. Page 20, lines 14 and 15.

Following: "rules"

Strike: "--" on line 14 through "FEES" on line 15

38. Page 21, line 2.

Following: "location;"

Strike: "and"

39. Page 21, line 3.

Following: "(c)"

Insert: "it is demonstrated that the applicant or the applicant's principal manager has the necessary skills to properly care for alternative livestock or intends to employ a person who has those necessary skills; and

(d)"

40. Page 22, lines 12 through 14.

Strike: subsection (6) in its entirety

Renumber: subsequent subsection

41. Page 23, line 7.

Strike: "significantly"

42. Page 23, line 9.

Strike: "substantially"

43. Page 24, lines 6 through 9.

Strike: subsection (5) in its entirety

44. Page 25, line 14 through page 27, line 1.

Strike: section 28 in its entirety

Renumber: subsequent sections

45. Page 27, line 4.

Following: "July 1"

Strike: "2000"

Insert: "2001"

46. Page 27, line 16.

Following: "July 1"

Strike: "2000"

Insert: "2001"

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47. Page 27, lines 19 through 23.

Strike: subsection (5) in its entirety

48. Page 27, line 25.

Strike: section 30 in its entirety

Re-number: subsequent sections

49. Page 28, line 4.

Following: "appropriate"

Strike: "sufficient money"

Insert: "\$134,000 to the department of fish, wildlife and parks and \$67,050 to the department of livestock"

50. Page 28, line 15.

Following: the second "(2)"

Strike: "1"

Insert: "and"

Following: "(3)"

Strike: ", AND (5)"

**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 McGee in the chair.

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

SB 370 - Representative Rehbein moved **SB 370** be concurred in.

SB 370 - Representative Hibbard moved **SB 370**, second reading copy, be amended as follows :

1. Title, page 1, line 12.

Following: "7-7-4428,"

Insert: "16-4-420,"

2. Page 9, line 5.

Strike: "resort area"

3. Page 13.

Following: line 12

Insert: "**Section 17.** Section 16-4-420, MCA, is amended to read:

"**16-4-420. Restaurant beer and wine license.** (1) The department shall issue a restaurant beer and wine license to an applicant whenever the department determines that the applicant, in addition to satisfying the requirements of this section, meets the following qualifications and conditions:

(a) in the case of an individual applicant:

(i) the applicant's past record and present status as a purveyor of alcoholic beverages and as a business person and citizen demonstrate that the applicant is likely to operate the establishment in compliance with all applicable laws of the state and local governments; and

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- (ii) the applicant is not under 19 years of age;
 - (b) in the case of a corporate applicant:
 - (i) in the case of a corporation listed on a national stock exchange, the corporate officers and the board of directors must meet the requirements of subsection (1)(a);
 - (ii) in the case of a corporation not listed on a national stock exchange, each owner of 10% or more of the outstanding stock must meet the requirements for an individual listed in subsection (1)(a); and
 - (iii) the corporation is authorized to do business in Montana;
 - (c) in the case of any other business entity, including but not limited to partnerships including limited liability partnerships, limited partnerships, and limited liability companies, but not including any form of a trust:
 - (i) if the applicant consists of more than one individual, all individuals must meet the requirements of subsection (1)(a); and
 - (ii) if the applicant consists of more than one corporation, all corporations listed on a national stock exchange must meet the requirements of subsection (1)(b)(i) and corporations not listed on a national stock exchange must meet the requirements of subsection (1)(b)(ii);
 - (d) the applicant operates a restaurant at the location where the restaurant beer and wine license will be used or satisfies the department:
 - (i) that the applicant intends to open a restaurant that will meet the requirements of subsection (6) and intends to operate the restaurant so that at least 75% of the restaurant's gross income during its first year of operation is expected to be the result of the sale of food;
 - (ii) that the restaurant beer and wine license will be used in conjunction with that restaurant, that the restaurant will serve beer and wine only to a patron who orders food, and that beer and wine purchases will be stated on the food bill; and
 - (iii) that the restaurant will serve beer and wine from a service bar, as service bar is defined by the department by rule;
 - (e) the applicant understands and acknowledges in writing on the application that this license prohibits the applicant from being licensed to conduct any gaming or gambling activity or operate any gambling machines and that if any gaming or gambling activity or machine exists at the location where the restaurant beer and wine license will be used, the activity must be discontinued or the machines must be removed before the restaurant beer and wine license takes effect; and
 - (f) the applicant states the planned seating capacity of the restaurant, if it is to be built, or the current seating capacity if the restaurant is operating.
- (2) A restaurant that has an existing retail license for the sale of beer, wine, or any other alcoholic beverage may not be considered for a restaurant beer and wine license at the same location.
- (3) (a) A completed application for a license under this section and the appropriate application fee, as provided in subsection (11), must be submitted to the department. The department shall request that the department of justice make an investigation of all the items relating to the application as described in subsections (3)(a)(i) through (3)(a)(iv). Based on the results of the investigation or in exercising its sound discretion, the department shall determine whether:
- (i) the applicant is qualified to receive a license;
 - (ii) the applicant's premises are suitable for the carrying on of the business;
 - (iii) the requirements of this code and the rules promulgated by the department are met and complied with;
- and
- (iv) the seating capacity as stated on the application is correct.
- (b) The department may retain 20% of the application fee collected under subsection (11) to defray the costs of the department and department of justice associated with investigating and processing applications.
- (4) An application for a beer and wine license submitted under this section is subject to the provisions of 16-4-203, 16-4-207, and 16-4-405.
- (5) If a premises proposed for licensing under this section is a new or remodeled structure, then the department may issue a conditional license prior to completion of the premises based on reasonable evidence,

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including a statement from the applicant's architect or contractor confirming that the seating capacity stated on the application is correct, that the premises will be suitable for the carrying on of business as a bona fide restaurant, as defined in subsection (6).

(6) For purposes of this section, "restaurant" means a public eating place where individually priced meals are prepared and served for on-premises consumption. At least 75% of the restaurant's annual gross income from the operation must be from the sale of food and not from the sale of alcoholic beverages. Each year after a license is issued, the applicant shall file with the department a statement, in a form approved by the department, attesting that at least 75% of the gross income of the restaurant during the prior year resulted from the sale of food. The restaurant must have a dining room, a kitchen, and the number and kinds of employees necessary for the preparation, cooking, and serving of meals in order to satisfy the department that the space is intended for use as a full-service restaurant. A full-service restaurant is a restaurant that provides an evening dinner menu.

(7) (a) (i) Subject to the conditions of subsection (7)(a)(ii), a restaurant beer and wine license may be transferred, upon approval by the department, from the original applicant to a new owner of the restaurant if there is no change of location, and the original owner may transfer location after the license is issued by the department to a new location, upon approval by the department.

(ii) A new owner may not transfer the license to a new location for a period of 1 year following the transfer of the license to the new owner.

(b) A license issued under this section may be jointly owned, and the license may pass to the surviving joint tenant upon the death of the other tenant. However, the license may not be transferred to any other person or entity by operation of the laws of inheritance or succession or any other laws allowing the transfer of property upon the death of the owner in this state or in another state.

(c) An estate may, upon the sale of a restaurant that is property of the estate and with the approval of the department, transfer a restaurant beer and wine license to a new owner.

(8) (a) The department shall issue a restaurant beer and wine license to a qualified applicant:

(i) for a restaurant located in a quota area with a population of 20,000 persons or fewer, as the quota area population is determined in 16-4-105, if the number of restaurant beer and wine licenses issued in that quota area is equal to or less than 60% of the number of beer licenses that may be issued in that quota area pursuant to 16-4-105;

(ii) for a restaurant located in a quota area with a population of 20,001 to 60,000 persons, as the quota area population is determined in 16-4-105, if the number of restaurant beer and wine licenses issued in that quota area is equal to or less than 50% of the number of beer licenses that may be issued in that quota area pursuant to 16-4-105;

(iii) for a restaurant located in a quota area with a population of 60,001 persons or more, as the quota area population is determined in 16-4-105, if the number of restaurant beer and wine licenses issued in that quota area is equal to or less than 40% of the number of beer licenses that may be issued in that quota area pursuant to 16-4-105; and

(iv) for a restaurant located in a quota area that is also a resort community, as the resort community ~~is~~ was designated by the department of commerce under 7-6-1501(5), ~~as that section read on January 1, 1999,~~ if the number of restaurant beer and wine licenses issued in the quota area that is also a resort community is equal to or less than 100% of the number of beer licenses that may be issued in that quota area pursuant to 16-4-105.

(b) In determining the number of restaurant beer and wine licenses that may be issued under this subsection (8) based on the percentage amounts described in subsections (8)(a)(i) through (8)(a)(iii), the department shall round to the nearer whole number.

(c) If there are more applicants than licenses available in a quota area, then the license must be awarded by lottery as provided in subsection (9).

(9) (a) When a restaurant beer and wine license becomes available by the initial issuance of licenses under this section or as the result of an increase in the population in the quota area, the nonrenewal of restaurant beer and wine license, or the lapse or revocation of the license by the department, then the department shall advertise the availability of the license in the quota area for which it is available. If there are more applicants than number of

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licenses available, the license must be awarded to an applicant by a lottery.

(b) Any applicant who operates a restaurant that meets the qualifications of subsection (6) for at least 12 months prior to the filing of an application must be given a preference.

(c) The department shall numerically rank all applicants in the lottery. Only the successful applicants will be required to submit a completed application and the required fee. An applicant's ranking may not be sold or transferred to another person or entity. The preference and an applicant's ranking apply only to the intended license advertised by the department or to the number of licenses determined under subsection (8) when there are more applicants than licenses available. The applicant's qualifications for any other restaurant beer and wine license awarded by lottery must be determined at the time of the lottery.

(10) Under a restaurant beer and wine license, beer and wine may not be sold for off-premises consumption.

(11) An application for a restaurant beer and wine license must be accompanied by a fee according to the following schedule:

(a) \$5,000 for restaurants with a stated seating capacity of 60 persons or less;

(b) \$10,000 for restaurants with a stated seating capacity of 61 to 100 persons; or

(c) \$20,000 for restaurants with a stated seating capacity of 101 persons or more.

(12) The annual fee for a restaurant beer and wine license is \$400.

(13) If a restaurant increases the stated seating capacity of the licensed restaurant or if the department determines that an applicant has increased the stated seating capacity of the licensed restaurant, then the applicant shall pay to the department the difference between the application fee paid at the time of filing the original application and the applicable application fee for the additional seating.

(14) The number of beer and wine licenses issued to restaurants with a stated seating capacity of 101 persons or more may not exceed 25% of the total licenses issued.

(15) Possession of a restaurant beer and wine license is not a qualification for licensure of any gaming or gambling activity. A gaming or gambling activity may not occur on the premises of a restaurant with a restaurant beer and wine license."

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, 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, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, Buzzas, P. Clark, Galvin-Halcro, Golie, Jore, Tropila, Tuss, Wyatt.

Total 9

Voted Absentee: Kitzenberg, Aye.

Excused: Curtiss, Dale, Juneau.

Total 3

Absent or not voting: Fuchs, Haines.

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Total 2

SB 370 - Representative Brainard moved **SB 370**, second reading copy, be further amended as follows :

1. Page 2, line 28.

Strike: "**Limit**" through "**local**"

Insert: "**Local**"

Strike: "**rate**"

2. Page 2, line 30.

Strike: ", but the rate may not exceed 3%"

Amendment failed as follows:

Ayes: Brainard, E. Clark, R. Clark, Cobb, Davies, Haines, Hanson, Jackson, Johnson, McGee, Menahan, Orr, Peck, Smith, Taylor, Trexler, Tuss, Walters, Zook.

Total 19

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

Total 80

Voted Absentee: Curtiss, Dale, Kitzenberg, Noes.

Excused: Juneau.

Total 1

Absent or not voting: None.

Total 0

SB 370 - Representative Brainard moved **SB 370**, second reading copy, be further amended as follows :

1. Page 2, line 28.

Following: "**services**"

Insert: "**and real estate**"

2. Page 3, line 1.

Following: "**on**"

Insert: ":(i)"

3. Page 3, line 9.

Following: "**FEF**"

Insert: "; and

(ii) the actual consideration for real estate paid or to be paid. For purposes of this subsection (2)(b)(ii),

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"real estate" has the same meaning as in 15-7-303(2)"

4. Page 3, line 11.

Following: "."

Insert: "The sales tax on the real estate subject to the tax must be collected by the closing agent."

5. Page 5, line 8.

Following: "SERVICES"

Insert: "and the real estate"

Representative Brainard withdrew the amendment.

SB 370 - Representative Cobb moved **SB 370**, second reading copy, be further amended as follows :

1. Title, page 1, line 6.

Strike: "33"

Insert: "50"

2. Title, page 1, line 7.

Strike: "THE COUNTYWIDE TEACHERS' RETIREMENT TAX LEVY"

Insert: "PROPERTY TAXES"

3. Title, page 1, line 12.

Following: "~~AND~~"

Insert: "AND"

Strike: "AND 20-9-501,"

4. Page 8, line 11.

Following: "~~county~~"

Insert: "municipal or county"

5. Page 8, line 13.

Strike: "COUNTYWIDE TEACHERS' RETIREMENT FUND"

Insert: "municipal or county"

6. Page 8, line 14.

Strike: "UNDER 20-9-501"

Strike: "33%"

Insert: "50%"

7. Page 13, line 14 through page 15, line 17.

Strike: section 17 in its entirety

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden,

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Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Adams, Buzzas, P. Clark, Dell, Eggers, Ewer, Galvin-Halcro, Golie, Hagener, Krenzler, Masolo, Pavlovich, Swanson, Tuss, Williams, Wyatt.

Total 16

Voted Absentee: Curtiss, Kitzenberg, Ayes.

Excused: Dale, Juneau.

Total 2

Absent or not voting: Tropila.

Total 1

SB 370 - Representative Cobb moved **SB 370**, second reading copy, be further amended as follows :

Amend Cobb Amendment dated April 15, 1999 2:49 pm

In amendment #1:

1. Title, page 1, line 6.

Strike: inserted "50"

Insert: "70"

In amendment #6

2. Page 8, line 14.

Strike: inserted "50%"

Insert: "70%"

Amendment adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Haines, Hanson, Jackson, Jore, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Matthews, McCann, McGee, Menahan, Molnar, Orr, Quilici, Raney, Rehbein, Ryan, Soft, Somerville, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Krenzler, Lawson, Masolo, McCulloch, McKenney, Mood, Noennig, Ohs, Pavlovich, Peck, Schmidt, Shockley, Simon, Sliter, Smith, Squires, Story, Stovall, Swanson, Thomas, Williams, Wyatt.

Total 44

Voted Absentee: Curtiss, Kitzenberg, Ayes.

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Excused: Dale, Juneau.
Total 2

Absent or not voting: Rose, Tropila.
Total 2

SB 370 - Representative Cobb moved **SB 370**, second reading copy, be further amended as follows :

1. Page 1, line 23.

Strike: " "

Insert: "or"

2. Page 1, line 24.

Strike: " , OR OTHER ITEM OR ANY SERVICE "

3. Page 2, line 28.

Strike: "and services"

4. Page 3, line 1.

Strike: "and services "

5. Page 3, line 2.

Strike: "and services "

6. Page 3, line 10.

Strike: " OR SERVICES, OR BOTH, "

7. Page 3, line 11.

Strike: " AND SERVICES "

8. Page 5, line 8.

Strike: " AND SERVICES "

9. Page 5, line 21.

Strike: "and services "

10. Page 6, line 29.

Strike: "and services "

Amendment failed as follows:

Ayes: Adams, E. Bergsagel, P. Bergsagel, E. Clark, Cobb, Curtiss, Dell, Ewer, Haines, Hanson, Jore, Kasten, Lindeen, Mangan, McCann, McGee, Menahan, Orr, Pavlovich, Quilici, Simon, Somerville, Tash, Taylor, Trexler, Tuss, Vick, Walters, Zook.
Total 29

Noes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Davies, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson,

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Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, Matthews, McCulloch, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Raney, Rehbein, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Thomas, Wagner, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 67

Voted Absentee: Curtiss, Aye; Kitzenberg, No.

Excused: Dale, Juneau.

Total 2

Absent or not voting: Rose, Tropila.

Total 2

Representative Smith excused at this time.

SB 370 - Representative Cobb moved **SB 370**, second reading copy, be further amended as follows :

1. Page 1, line 20.

Following: "(1)"

Insert: "(a)"

Strike: "Luxuries"

Insert: "Luxury good"

Following: "means"

Insert: ":"

Strike: "any"

2. Page 1, line 23 through line 24.

Strike: "GIFT" on line 23 through "TOURISTS." on line 24

Following: "TOURIST"

Insert: "(i) alcoholic beverages consumed on the premises of the retailer;
(ii) camping equipment;
(iii) electronic games used in conjunction with a computer or television set;
(iv) jewelry and watches with a list price of \$200 or more
(v) recreational vehicles and boats, including:
(A) campers as defined in 61-1-129;
(B) canoes and rubber rafts;
(C) motorboats as defined in 23-2-502;
(D) off-highway vehicles as defined in 23-2-801;
(E) snowmobiles as defined in 23-2-601;
(F) travel trailers as defined in 61-1-131;
(vi) sporting goods;
(vii) souvenirs and novelty items;
(viii) prepared food; and
(ix) motor fuels sold by service stations and convenience stores.
(b)

3. Page 1.

Following: line 27

Insert: "(2) "Luxury service" means:

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- (a) admission to:
 - (i) an entertainment performance;
 - (ii) a sporting event;
 - (iii) any other recreation or entertainment activity;
- (b) subscription charges for cable television premium channels not included in the basic television subscription rate;
- (c) rentals of video cassettes;
- (d) rentals of recreational equipment;
- (e) rentals of recreational vehicles."

Renumber: subsequent subsections

4. Page 5, line 8.

Following: "TAX"

Insert: ", which may include any luxury good or luxury service as defined in 7-6-1501"

Amendment failed as follows:

Ayes: Adams, Barnett, E. Bergsagel, P. Bergsagel, E. Clark, R. Clark, Cobb, Curtiss, Davies, Ewer, Fisher, Gallus, Haines, Hanson, Harper, Jore, Kasten, Lindeen, Matthews, McCann, McGee, Menahan, Molnar, Noennig, Orr, Quilici, Raney, Simon, Stovall, Tash, Taylor, Trexler, Tuss, Vick, Zook.

Total 35

Noes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Facey, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, McCulloch, McKenney, Mood, Ohs, Pavlovich, Peck, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Soft, Somerville, Squires, Story, Swanson, Thomas, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 62

Voted Absentee: Curtiss, Aye; Kitzenberg, No.

Excused: Dale, Juneau, Smith.

Total 3

Absent or not voting: None.

Total 0

SB 370 - Representative Hibbard moved **SB 370**, second reading copy, be further amended as follows :

1. Page 5.

Following: line 6

Insert: "(3) If a resort area is in more than one county, the resort tax question must be presented to and approved by the electors in the resort area of each county."

Renumber: subsequent subsections

2. Page 5, line 22.

Strike: "(5)(b)"

Insert: "(6)(b)"

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3. Page 12, line 30.

Strike: "7-6-1501" on page 12, line 30 through "7-6-1550" on page 13, line 1

Insert: "this part"

Strike: "THOSE SECTIONS" on page 13, line 1

Insert: "this part"

4. Page 13, line 3 and line 4.

Strike: "FOR" on line 3 through "DURATION" on line 4

Insert: "pursuant to this part as this part read prior to [the effective date of this act]"

Amendment adopted as follows:

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

Total 85

Noes: P. Clark, Galvin-Halcro, Jore, Lenhart, Mangan, Pavlovich, Schmidt, Tropila, Tuss, Wyatt.

Total 10

Voted Absentee: Curtiss, Kitzenberg, Ayes.

Excused: Dale, Juneau, Smith.

Total 3

Absent or not voting: Barnhart, Harrington.

Total 2

Representative Barnett moved for cloture. Motion carried.

Representative Somerville excused at this time.

Motion that **SB 370**, as amended, be concurred in failed as follows:

Ayes: Ahner, Barnhart, Beck, Bookout-Reinicke, Brown, Dale, Erickson, Facey, Fuchs, Grinde, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lindeen, McKenney, Mood, Noennig, Ohs, Peck, Raney, Rehbein, Rose, Sliter, Smith, Soft, Story, Stovall, Swanson, Tash, Thomas, Williams, Witt, Younkin, Mr. Speaker.

Total 43

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Ewer, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Jore, Kasten, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Orr, Pavlovich, Quilici, Ryan, Schmidt, Shockley, Simon, Somerville, Squires, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Wyatt, Zook.

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Total 57

Voted Absentee: Dale, Juneau, Kitzenberg, Smith, Ayes; Curtiss, Somerville, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 534 - Representative Kasten moved **SB 534** be concurred in.

Representative Somerville present at this time.

SB 534 - Representative Harper moved **SB 534**, second reading copy, be amended as follows :

1. Title, line 12.

Following: "OMBUDSMAN;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Title, line 13.

Strike: "AN IMMEDIATE"

3. Title, line 14.

Strike: the first "DATE"

Insert: "DATES"

4. Page 16, line 21.

Insert: "NEW SECTION. Section 16. Appropriation. There is appropriated general fund money to the department of public health and human services in the following amounts:

(1) \$2 million for fiscal year 2000 and \$2 million for fiscal year 2001 for the purpose of adequately funding acute care hospitalization for the mental health program for the 150% of the federal poverty level population;

(2) \$907,657 for fiscal year 2000 and \$927,315 for fiscal year 2001 for the forensic population at the Montana state hospital;

(3) \$2.6 million for fiscal year 2000 and \$2.6 million for fiscal year 2001 to adequately fund new services within the mental health program for the population not eligible for medicaid with family income that does not exceed 200% of the federal poverty threshold; and

(4) \$550,000 for fiscal year 2000 to fund the delay in construction at the Montana state hospital."

Renumber: subsequent subsections

5. Page 16, line 25.

Strike: "date. [This act] is"

Insert: "dates. (1) [Sections 1 through 15, 17, and this section] are"

6. Page 16, line 26.

Following: line 25

Insert: "(2) [Section 16] is effective on July 1, 1999."

SB 534 - Representative Tuss moved the amendment be divided.

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Amendments #1-#3, #4(sections 1, 2, and 4), and #5-#6 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, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, 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, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 57

Voted Absentee: Curtiss, Kitzenberg, Noes.

Excused: Dale, Juneau, Smith.

Total 3

Absent or not voting: None.

Total 0

Amendment #4 section #3 failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Gillan, Golie, Gutsche, Harper, Harrington, Hibbard, Hurdle, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Squires, Swanson, Williams.

Total 34

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

Total 62

Voted Absentee: Kitzenberg, No.

Excused: Curtiss, Dale, Juneau, Smith.

Total 4

Absent or not voting: None.

Total 0

SB 534 - Representative Mangan moved **SB 534**, second reading copy, be further amended as follows :

1. Page 10, line 6.

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Following: "NONPERFORMANCE."

Insert: "If a contract is canceled or terminated, the department may not waive any monetary penalty or sanction that has been imposed under the contract until the legislature has had an opportunity to review the impact of the waiver on funding for services."

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, Hibbard, Holden, Hurdle, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Squires, Swanson, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt.
Total 48

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Jackson, Johnson, Jore, Kasten, Kitzenberg, McCann, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 48

Voted Absentee: Curtiss, Kitzenberg, Noes.

Excused: Dale, Juneau, Smith.
Total 3

Absent or not voting: Krenzler.
Total 1

Motion that **SB 534** be concurred in carried as follows:

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

Noes: E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Jore, Molnar, Orr, Peck, Rehbein, Vick.
Total 11

Voted Absentee: Juneau, Kitzenberg, Ayes; Curtiss, No.

Excused: Dale, Smith.
Total 2

Absent or not voting: None.
Total 0

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Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 85

Noes: Erickson, Jore, Molnar, Peck, Sliter, Tuss.

Total 6

Excused: Curtiss, Dale, Juneau, Kitzenberg, Smith.

Total 5

Absent or not voting: Dell, Gillan, Soft, Story.

Total 4

MOTIONS

Representative Harper moved that the House take **HB 621** from today's 3rd reading board and place it on the 2nd reading board. Motion 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, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Peck, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 38

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

Total 56

Excused: Curtiss, Dale, Juneau, Kitzenberg, Smith.

Total 5

Absent or not voting: Story.

Total 1

THIRD READING OF BILLS

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

HB 79, as amended by the Senate, passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Davies, Dell, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Kasten, Kitzenberg, Masolo, McCann, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Barnett, P. Bergsagel, Brown, Buzzas, P. Clark, Cobb, Curtiss, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Molnar, Peck, Raney, Ryan, Schmidt, Soft, Somerville, Squires, Swanson, Tropila, Tuss, Vick, Williams, Wyatt.

Total 46

Voted Absentee: Kitzenberg, Aye; Curtiss, Juneau, Noes.

Excused: Dale, Smith.

Total 2

Absent or not voting: None.

Total 0

HB 115, as amended by the Senate, passed as follows:

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

Total 93

Noes: R. Clark, Jore, Krenzler, Rehbein, Wyatt.

Total 5

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.

Total 2

Absent or not voting: None.

Total 0

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HB 129, Conference Committee Report No. 1, adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: E. Bergsagel, P. Bergsagel, Davies, Golie, Jore, Krenzler, McGee, Molnar, Noennig, Orr, Peck, Rehbein, Vick, Wagner.
Total 14

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.
Total 2

Absent or not voting: Barnhart.
Total 1

HB 158, as amended by the Senate, passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 75

Noes: Adams, Barnhart, P. Clark, Davies, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Hurdle, Jore, Kasten, Mangan, Menahan, Orr, Peck, Ryan, Vick, Wagner.
Total 21

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.
Total 2

Absent or not voting: S. Anderson, Wyatt.
Total 2

HB 183, as amended by the Senate, passed as follows:

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

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Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Ewer, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: Barnhart, Buzzas, Eggers, Erickson, Facey, Galvin-Halcro, Gutsche, Hagener, Hurdle, Mangan, Orr, Peck, Squires, Williams.
Total 14

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.
Total 2

Absent or not voting: S. Anderson.
Total 1

HB 185, as amended by the Governor, passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, 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, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 77

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Cobb, Davies, Fisher, Fuchs, Jackson, Jore, Kasten, Lawson, Masolo, Molnar, Orr, Rehbein, Somerville, Taylor, Vick, Wagner, Walters.
Total 21

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.
Total 2

Absent or not voting: None.
Total 0

HB 302, Conference Committee Report No. 1, adopted as follows:

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

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Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Brown, Davies, Galvin-Halcro, Jore, Kasten, McGee, Molnar, Orr, Peck, Rehbein, Shockley, Somerville, Taylor, Vick, Wagner, Walters.

Total 20

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.

Total 2

Absent or not voting: None.

Total 0

HB 389, as amended by the Senate, passed as follows:

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

Total 83

Noes: Adams, J. Andersen, Barnhart, E. Bergsagel, P. Bergsagel, E. Clark, Eggers, Fuchs, Galvin-Halcro, Jackson, Jore, Juneau, McGee, Rehbein, Taylor.

Total 15

Voted Absentee: Curtiss, Kitzenberg, Ayes; Juneau, No.

Excused: Dale, Smith.

Total 2

Absent or not voting: None.

Total 0

HB 512, as amended by the Governor, passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, 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, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 82

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Davies, Fuchs, Jore, Kasten, Molnar, Orr, Peck, Rehbein, Vick, Wagner.

Total 16

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.

Total 2

Absent or not voting: None.

Total 0

HB 536, as amended by the Senate, passed as follows:

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

Total 91

Noes: Adams, Brainard, R. Clark, Curtiss, Jore, McGee, Orr.

Total 7

Voted Absentee: Juneau, Kitzenberg, Ayes; Curtiss, No.

Excused: Dale, Smith.

Total 2

Absent or not voting: None.

Total 0

HB 551, as amended by the Senate, passed as follows:

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

Total 94

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Noes: Brainard, Jore, Orr, Rehbein.
Total 4

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale, Smith.
Total 2

Absent or not voting: None.
Total 0

HB 557, Conference Committee Report No. 1, adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Jore, McGee.
Total 2

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: Smith.
Total 1

HB 560, as amended by the Senate, passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Jore.
Total 5

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Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Davies.

Total 1

HB 584, as amended by the Senate, passed as follows:

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

Total 96

Noes: Jore, Orr, Rehbein.

Total 3

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

HB 586, as amended by the Senate, passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Soft, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook.

Total 70

Noes: Adams, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, R. Clark, Curtiss, Davies, Hanson, Jackson, Jore, Kasten, Masolo, McGee, Molnar, Orr, Peck, Rose, Simon, Sliter, Smith, Somerville, Story, Taylor, Trexler, Vick, Walters.

Total 28

Voted Absentee: Juneau, Kitzenberg, Ayes; Curtiss, No.

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Excused: Dale.
Total 1

Absent or not voting: Mr. Speaker.
Total 1

HB 593, as amended by the Senate, passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: E. Bergsagel, P. Bergsagel, Bitney, Jore, McGee, Orr, Rehbein, Vick.
Total 8

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: Peck.
Total 1

HB 596, as amended by the Senate, passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, Hagener, Jore, Orr.
Total 4

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

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Absent or not voting: None.
Total 0

HB 607, as amended by the Senate, passed as follows:

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

Noes: Adams, P. Bergsagel, R. Clark, Hagener, Jackson, Johnson, Jore, Kasten, Krenzler, Orr, Rehbein, Vick.
Total 12

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 614, as amended by the Senate, passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Erickson, Ewer, Facey, 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, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Dell, Galvin-Halcro.
Total 2

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

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HB 616, as amended by the Governor, passed as follows:

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

Total 97

Noes: Molnar, Rehbein.

Total 2

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

HB 620, as amended by the Senate, passed as follows:

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

Total 88

Noes: P. Bergsagel, Davies, Jore, Lindeen, McGee, Molnar, Rehbein, Vick, Wagner.

Total 9

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Orr, Tuss.

Total 2

HB 621, as amended by the Senate, passed as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 68

Noes: Adams, Barnhart, P. Bergsagel, Buzzas, P. Clark, Davies, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Hurdle, Jore, Lawson, Lindeen, Mangan, McCulloch, Orr, Raney, Rehbein, Shockley, Squires, Swanson, Tuss, Vick, Wagner, Williams, Wyatt.
Total 31

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 651, as amended by the Senate, passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Dell, Jore, Peck.
Total 3

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 658, as amended by the Senate, passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Fisher, Fuchs,

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Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 80

Noes: Barnhart, P. Clark, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Hurdle, Krenzler, McCulloch, Pavlovich, Peck, Quilici, Smith, Squires, Swanson, Williams.
Total 19

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 660, as amended by the Senate, passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 76

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Curtiss, Davies, Fuchs, Grinde, Holden, Jackson, Jore, Kasten, Lawson, McGee, Molnar, Orr, Rehbein, Sliter, Somerville, Vick, Wagner, Walters.
Total 23

Voted Absentee: Juneau, Kitzenberg, Ayes; Curtiss, No.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 661, as amended by the Senate, passed as follows:

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

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Wagner, Walters, Wyatt, Younkin, Zook, Mr. Speaker.
Total 64

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lindeen, Mangan, McCulloch, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Williams, Witt.
Total 35

Voted Absentee: Curtiss, Kitzenberg, Ayes; Juneau, No.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HJR 8, as amended by the Senate, adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 62

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lindeen, Mangan, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 36

Voted Absentee: Curtiss, Kitzenberg, Ayes; Juneau, No.

Excused: Dale.
Total 1

Absent or not voting: Simon.
Total 1

HJR 18, as amended by the Senate, adopted as follows:

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

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Total 75

Noes: Adams, Ahner, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Brown, Davies, Fuchs, Jackson, Johnson, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Rose, Shockley, Thomas, Trexler, Vick, Walters, Wyatt.

Total 24

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

HJR 26, as amended by the Senate, adopted as follows:

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

Total 75

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

Total 24

Voted Absentee: Curtiss, Kitzenberg, Ayes; Juneau, No.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 33, Free Conference Committee Report No. 1, adopted as follows:

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

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Total 87

Noes: Barnhart, Buzzas, Hurdle, Krenzler, Lindeen, Rehbein, Tuss, Wagner, Wyatt.

Total 9

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Grinde, Orr, Sliter.

Total 3

SB 166, as amended by the Governor, concurred in as follows:

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

Total 89

Noes: Barnhart, E. Bergsagel, Brainard, Brown, Galvin-Halcro, Jore, Kasten, Orr, Rehbein, Wyatt.

Total 10

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 195, Conference Committee Report No. 1, adopted as follows:

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

Total 86

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Cobb, Jore, Kasten, McGee, Orr, Rehbein, Vick, Wagner,

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Walters.
Total 13

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

SB 229, Free Conference Committee Report No. 1, adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, R. Clark, Curtiss, Davies, Ewer, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Kitzenberg, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 62

Noes: Adams, Barnhart, Beck, Brainard, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Johnson, Jore, Juneau, Kasten, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Molnar, Quilici, Raney, Ryan, Schmidt, Squires, Tuss, Wyatt.
Total 36

Voted Absentee: Curtiss, Kitzenberg, Ayes; Juneau, No.

Excused: Dale.
Total 1

Absent or not voting: Bitney.
Total 1

SB 333 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

Noes: Adams, P. Bergsagel, Brainard, Davies, Jore, Krenzler, McGee, Molnar, Orr, Peck, Somerville, Vick, Wagner.

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Total 13

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 334, Conference Committee Report No. 1, adopted as follows:

Ayes: Barnett, Brown, P. Clark, Curtiss, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Johnson, Kasten, Kitzenberg, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Shockley, Simon, Soft, Somerville, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Williams, Witt, Zook, Mr. Speaker.

Total 50

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hurdle, Jackson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McGee, Molnar, Orr, Rehbein, Ryan, Schmidt, Sliter, Smith, Story, Stovall, Tuss, Vick, Wagner, Walters, Wyatt, Younkin.

Total 49

Voted Absentee: Curtiss, Kitzenberg, Ayes; Juneau, No.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 458, Free Conference Committee Report No. 1, adopted as follows:

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

Total 81

Noes: Adams, E. Bergsagel, P. Bergsagel, R. Clark, Eggers, Galvin-Halcro, Johnson, Jore, Kasten, McGee, Orr, Rehbein, Ryan, Smith, Vick, Wagner.

Total 16

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Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: McCann, Taylor.

Total 2

SJR 14, as amended by the House, concurred in as follows:

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

Total 80

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Fuchs, Johnson, Jore, Orr, Rehbein, Sliter, Somerville, Story, Wagner, Walters, Wyatt.

Total 18

Voted Absentee: Juneau, Kitzenberg, Ayes; Curtiss, No.

Excused: Dale.

Total 1

Absent or not voting: McCann.

Total 1

SJR 18 concurred in as follows:

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

Total 86

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Fuchs, Johnson, Jore, McGee, Orr, Rehbein.

Total 12

Voted Absentee: Curtiss, Juneau, Kitzenberg, Ayes.

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Excused: Dale.
Total 1

Absent or not voting: McCann.
Total 1

SJR 20, as amended by the House, concurred in as follows:

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

Noes: Adams, E. Bergsagel, Brainard, Curtiss, Fuchs, Johnson, Kasten, Peck, Smith, Story.
Total 10

Voted Absentee: Juneau, Kitzenberg, Ayes; Curtiss, No.

Excused: Dale.
Total 1

Absent or not voting: McCann, Tropila.
Total 2

MOTIONS

Representative Brown requested on **HB 79**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Mangan requested on **HB 13**, 2nd reading on Legislative Day 82, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Squires requested on **HB 79**, 3rd reading today, that her vote be changed from yes to no. There being no objections, so ordered.

Representative Erickson requested on **HB 660**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Lenhart requested on **SB 334**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Grinde moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 13**. Motion carried.

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The Speaker appointed the following members:

Representative Johnson, Chairman
Representative Witt
Representative Menahan

Representative Grinde moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 127**. Motion carried.

The Speaker appointed the following members:

Representative Kasten, Chairman
Representative Johnson
Representative Mangan

Representative Cobb moved that the House reconsider its action on **SB 370**. Motion failed as follows:

Ayes: Ahner, Barnhart, Ewer, Facey, Fuchs, Grinde, Hagener, Hibbard, Hurdle, Jackson, Johnson, Mood, Noennig, Ohs, Orr, Peck, Soft, Stovall, Swanson, Taylor, Tuss, Williams, Mr. Speaker.
Total 23

Noes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Erickson, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Holden, Jore, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Tash, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Wyatt, Zook.
Total 69

Excused: Curtiss, Dale, Juneau, Kitzenberg.
Total 4

Absent or not voting: Bookout-Reinicke, McCann, Rose, Younkin.
Total 4

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved that the House recess until 3:00 p.m. Motion carried.

House recessed at 12:50 p.m.

House reconvened at 3:00 p.m.

Roll Call. All members present except Representatives Curtiss, Dale, Kasten, and Kitzenberg. Quorum present.

Sergeant-at-Arms Meuli escorted the Senate committee into the House Chamber.

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Representative Sliter presented the Montana Legislators Sporting Clays Championship Trophy to Senator Taylor and Senators Hargrove, Holden, and Wells.

Sergeant-at-Arms Meuli escorted the Senate committee from the House Chamber.

Speaker Mercer introduced the following pages and honorary pages of the week:

Adam Orr, Libby
Breanna Buck, Geraldine
Andrea Diehl, East Helena
Leila Barnard, Malta
Katie Donaldson, Clancy
Matt Hagedorn, Volberg
Katrina Wahl, Cut Bank
Raean Buck, Ekalaka
Dene Graa, Anaconda
Salisha Tennison, Libby
Joe Myran, Helena
Andy Radliff, Helena (honorary)
Reece Clark, Sweetgrass (honorary)
Eric Clark, Sweetgrass (honorary)
Max Miller, Laurel (honorary)
Kindall Miller, Laurel (honorary)

**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 Hibbard in the chair.

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

HB 540 - Representative Grinde moved consideration of **HB 540** be placed at the top of the second reading board. Motion carried.

HB 540 - Senate Amendments - Representative Grinde moved Senate amendments to **HB 540** be not concurred in. Motion carried as follows:

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

Total 98

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Noes: Gillan, Smith.
Total 2

Voted Absentee: Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 626 - Senate Amendments - Representative Harper moved Senate amendments to **HB 626** be not concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

Noes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Brown, Curtiss, Jore, Kasten, Noennig, Rehbein, Rose, Story, Vick.
Total 13

Voted Absentee: Dale, Kitzenberg, Ayes; Curtiss, Kasten, Noes.

Excused: None.
Total 0

Absent or not voting: Schmidt.
Total 1

HB 260 - Senate Amendments - Representative Mood moved Senate amendments to **HB 260** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Masolo, Matthews, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 56

Noes: Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Molnar, Peck, Raney, Ryan,

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Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Vick, Williams, Wyatt.
Total 44

Voted Absentee: Dale, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 488 - Senate Amendments - Representative Wagner moved Senate amendments to **HB 488** be not concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, 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, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 92

Noes: Buzzas, P. Clark, Hibbard, Hurdle, McCann, Tash, Taylor.
Total 7

Voted Absentee: Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

Representative Sliter assumed the chair.

HB 530 - Senate Amendments - Representative McGee moved Senate amendments to **HB 530** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook.
Total 82

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Noes: Barnhart, Golie, Guggenheim, Hagener, Juneau, Lawson, Lenhart, Mangan, McCulloch, Squires, Tuss, Wyatt.

Total 12

Voted Absentee: Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.

Total 0

Absent or not voting: S. Anderson, Ewer, Fisher, Gillan, Grinde, Mr. Speaker.

Total 6

HB 174 - Senate Amendments - Representative Hibbard moved Senate amendments to **HB 174** be concurred in.

HB 174 - Representative Hibbard moved consideration of **HB 174** be passed for the day. Motion carried.

HB 647 - Senate Amendments - Representative Raney moved Senate amendments to **HB 647** be concurred in. Motion carried as follows:

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

Total 93

Noes: Adams, Brown, Jore, Rehbein.

Total 4

Voted Absentee: Curtiss, Kasten, Kitzenberg, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Gallus, Ohs.

Total 2

HB 669 - Senate Amendments - Representative Story moved Senate amendments to **HB 669** be concurred in. Motion carried as follows:

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

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

Total 98

Noes: None.

Total 0

Voted Absentee: Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus, Squires.

Total 2

Representative Grinde assumed the chair.

HB 533 - Senate Amendments - Representative Gallus moved Senate amendments to **HB 533** be not concurred in. Motion carried 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, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Kasten.

Total 1

Voted Absentee: Curtiss, Dale, Kitzenberg, Ayes; Kasten, No.

Excused: None.

Total 0

Absent or not voting: Brown, Fuchs.

Total 2

HB 641 - Senate Amendments - Representative Squires moved Senate amendments to **HB 641** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell,

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

Total 99

Noes: None.

Total 0

Voted Absentee: Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

SB 224 - Representative Soft moved **SB 224** be concurred in.

SB 224 - Representative McCann moved **SB 224**, second reading copy, be amended as follows :

1. Title, line 8.

Following: " ; "

Insert: "PROVIDING FUNDING FOR THE PROGRAM THROUGH VIDEO GAMBLING MACHINE PERMIT FEE REVENUE; AMENDING SECTION 23-5-612, MCA;"

2. Page 1, line 12.

Strike: "4"

Insert: "5"

3. Page 3, line 22.

Insert: "NEW SECTION. Section 5. Funding for problem and pathological gambling prevention and treatment program. The funding for the problem and pathological prevention and treatment program provided for in [sections 1 through 5 and this section] must be provided from the state special revenue account provided for in 23-5-612."

"**Section 6.** Section 23-5-612, MCA, is amended to read:

"**23-5-612. Machine permits -- fee.** (1) The department, upon payment of the fee provided in subsection (2) and in conformance with rules adopted under this part, shall issue to the operator an annual permit for an approved video gambling machine.

(2) (a) The department shall charge an annual permit fee ~~of \$200~~ for each video gambling machine permit. The fee must be established by rule in an amount necessary to fund all programs in existence on January 1, 1999, that received revenue from the fee, plus any amount necessary to fund additional programs. The fee must be prorated on a quarterly basis but may not be prorated to allow a permit to expire before June 30. The department may not grant a refund if the video gambling machine ceases operation before the permit expires.

(b) If the person holding the gambling operator's license for the premises in which the machine is located changes during the first quarter of the permit year and the new operator has received an operator's

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license and if a machine transfer processing fee of \$25 per machine is paid to the department, the permit remains valid for the remainder of the permit year.

(3) The department shall deposit 50% of the total permit fee collected under subsection (2)(a) and 100% of the machine transfer processing fee collected under subsection (2)(b) in the state special revenue fund for purposes of administering this part and for other purposes provided by law. The balance of the fee collected under subsection (2)(a) must be returned on a quarterly basis to the local government jurisdiction in which the gambling machine is located. The local government portion of the fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit in the local government treasury."

Renumber: subsequent sections

4. Page 3, line 23.

Strike: "4"

Insert: "5"

5. Page 3, line 24.

Strike: "4"

Insert: "5"

Amendment failed as follows:

Ayes: J. Andersen, Barnhart, E. Bergsagel, P. Bergsagel, Brainard, P. Clark, R. Clark, Cobb, Curtiss, Dell, Ewer, Fisher, Fuchs, Guggenheim, Hagener, Hanson, Harper, Hibbard, Hurdle, Jackson, Juneau, Krenzler, Lenhart, Lindeen, McCann, McGee, Orr, Peck, Raney, Rehbein, Rose, Simon, Smith, Somerville, Stovall, Taylor, Thomas, Vick, Zook.

Total 39

Noes: Adams, Ahner, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, Dale, Davies, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Haines, Harrington, Hedges, Holden, Johnson, Jore, Kitzenberg, Lawson, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Ryan, Schmidt, Shockley, Soft, Squires, Story, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 59

Voted Absentee: Curtiss, Aye; Dale, Kitzenberg, Noes.

Excused: Kasten.

Total 1

Absent or not voting: Sliter.

Total 1

SB 224 - Representative Jore moved **SB 224**, second reading copy, be further amended as follows :

1. Title, line 8.

Strike: "AN"

Insert: "A CONTINGENT"

2. Page 3, line 26.

Strike: "Effective"

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Insert: "Contingent effective"

Strike: "July 1, 1999"

Insert: "on the effective date of a statute or initiative abolishing the Montana state lottery or on the date of the filing of a Montana supreme court opinion invalidating the Montana state lottery"

Amendment failed as follows:

Ayes: Adams, Ahner, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, P. Clark, R. Clark, Cobb, Curtiss, Davies, Fuchs, Haines, Hanson, Harper, Hurdle, Jackson, Johnson, Jore, McCann, McGee, Orr, Peck, Raney, Rehbein, Shockley, Somerville, Taylor, Thomas, Vick, Wagner, Walters, Mr. Speaker.

Total 35

Noes: J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Buzzas, E. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harrington, Hedges, Hibbard, Holden, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.

Total 64

Voted Absentee: Curtiss, Aye; Dale, Kitzenberg, Noes.

Excused: Kasten.

Total 1

Absent or not voting: None.

Total 0

Motion that **SB 224** be concurred in failed as follows:

Ayes: Buzzas, Dale, Erickson, Facey, Gallus, Gillan, Guggenheim, Gutsche, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Kitzenberg, Krenzler, Mangan, Masolo, Matthews, McCulloch, McKenney, Noennig, Quilici, Ryan, Schmidt, Simon, Sliter, Soft, Squires, Stovall, Thomas, Trexler, Tropila, Williams.

Total 36

Noes: 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, Davies, Dell, Eggers, Ewer, Fisher, Fuchs, Galvin-Halcro, Golie, Grinde, Hagener, Hanson, Jackson, Jore, Juneau, Kasten, Lawson, Lenhart, Lindeen, McCann, McGee, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Raney, Rehbein, Rose, Shockley, Smith, Somerville, Story, Swanson, Tash, Taylor, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 64

Voted Absentee: Dale, Kitzenberg, Ayes; Curtiss, Kasten, Noes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 478 - Free Conference Committee Report No. 1 - Representative Anderson moved the Free Conference Committee report to **HB 478** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wagner, Walters, Williams, Wyatt.
Total 74

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Curtiss, Haines, Hanson, Jore, Masolo, Orr, Rehbein, Rose, Smith, Story, Taylor, Thomas, Trexler, Vick, Witt, Younkin, Zook.
Total 25

Voted Absentee: Dale, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

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

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: Barnhart, E. Bergsagel, Galvin-Halcro, Mangan, Orr, Peck, Rehbein, Smith, Tuss, Wyatt.
Total 10

Excused: Curtiss, Dale, Kasten, Kitzenberg.
Total 4

Absent or not voting: Bitney, Grinde, Shockley, Sliter.
Total 4

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MOTIONS

Representative Menahan moved that the House reconsider its action on **SB 334** today and place it on the 2nd reading board.

Representative Story moved the previous question. Motion carried.

Motion failed as follows:

Ayes: J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harper, Harrington, Jackson, Jore, Juneau, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCann, McCulloch, McGee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Sliter, Smith, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Wyatt.

Total 50

Noes: Adams, Ahner, S. Anderson, Barnett, Bitney, Brainard, Buzzas, Dale, Eggers, Erickson, Facey, Fisher, Fuchs, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Hedges, Hibbard, Holden, Hurdle, Johnson, Kitzenberg, Masolo, Matthews, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 50

Voted Absentee: Curtiss, Kasten, Ayes; Dale, Kitzenberg, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Jackson requested on **HB 79**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Grinde moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 488**. Motion carried.

The Speaker appointed the following members:

Representative Wagner, Chairman
Representative Fuchs
Representative Golie

Representative Grinde moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 533**. Motion carried.

The Speaker appointed the following members:

Representative Walters, Chairman

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Representative Shockley
Representative Gallus

Representative Grinde moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 540**. Motion carried.

The Speaker appointed the following members:

Representative Rose, Chairman
Representative Grinde
Representative Raney

Representative Grinde moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 626**. Motion carried.

The Speaker appointed the following members:

Representative Trexler, Chairman
Representative Simon
Representative Harper

Representative Grinde moved that the conference committee on **SB 406** be dissolved and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to **SB 406**. Motion carried.

The Speaker appointed the following members:

Representative E. Bergsagel, Chairman
Representative Johnson
Representative Ewer

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, April 17, 1999. Motion carried.

House adjourned at 5:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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