

**HOUSE JOURNAL
56TH LEGISLATURE / SPECIAL SESSION MAY 2000
SECOND LEGISLATIVE DAY**

Helena, Montana
May 9, 2000

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Soft. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Gallus, Galvin-Halcro, Orr, and Thomas, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

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

HB 7, introduced by Jore, referred to Taxation.

HB 8, introduced by Jore, referred to Taxation.

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

SB 2, introduced by Sprague, referred to Taxation.

SB 4, introduced by M. Taylor, referred to Appropriations.

SB 6, introduced by McNutt, referred to Appropriations.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House recess until 1:00 p.m., Tuesday, May 9, 2000. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 1:00 p.m. Quorum present, Representatives Gallus and Galvin-Halcro present, Representatives Orr and Thomas excused.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Zook, Chairman):

5/9/2000

SB 4, be amended as follows:

1. Page 2, line 4.

Strike: "FOR THE PURPOSES OF THIS SECTION, STATE"

Insert: "State"

2. Page 2, line 5.

Following: "TELECOMMUNICATIONS"

Insert: "or other"

3. Page 2, line 6.

Strike: "TELECOMMUNICATIONS" in two places

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

SB 6, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman):

5/9/2000

SB 2, be concurred in. Report adopted.

Correctly printed: **SB 2, SB 6.**

Correctly engrossed: **SB 4.**

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

5/9/2000

HB 2, introduced by Zook

FIRST READING AND COMMITMENT OF BILLS

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

HB 9, introduced by Harper, G. Beck, Buzzas, Dell, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hurdle, Jackson, Kitzenberg, Krenzler, Mangan, G. Masolo, Matthews, McCulloch, McGee, Menahan, Molnar, Pavlovich, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Squires, Story, Stovall, Trexler, Wagner, Williams, Witt, Wyatt, referred to Fish, Wildlife and Parks.

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

HJR 2, introduced by Witt, Curtiss, referred to Agriculture.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

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

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

SB 2 - Representative Peck moved **SB 2** be concurred in.

Motion carried 98-1 with Representative Barnhart voting no, Representative Orr voting absentee, and Representative Thomas not voting.

SB 4 - Representative McKenney moved **SB 4** be concurred in.

SB 4 - Representative Johnson moved **SB 4**, second reading copy, be amended as follows :

1. Page 2, line 4.

Strike: "STATE"

Insert: "For purposes of this section, state"

Amendment adopted 88-11 with Representatives E. Bergsagel, P. Bergsagel, Brainard, Hurdle, Jore, Krenzler, McCann, Orr, Peck, Shockley, and Vick voting no, Representative Orr voting absentee, and Representative Thomas excused.

SB 4 - Representative Lindeen moved **SB 4**, second reading copy, be amended as follows :

1. Title, line 12.

Following: " ; "

Insert: "PROVIDING THAT PROJECTS FUNDED WITH BOND PROCEEDS REQUIRE CONTRACTING ENTITIES TO PAY LIVEABLE WAGES, PROVIDE HEALTH CARE INSURANCE, AND GIVE QUALIFIED MONTANA WORKERS AN EMPLOYMENT PREFERENCE;"

2. Page 2, line 19.

Insert: "(4) The department of commerce shall require that projects funded with the proceeds of bonds issued under this section require contracting entities to pay liveable wages, provide health care insurance, and give qualified Montana workers an employment preference."

Amendment failed as follows:

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

Total 39

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

Total 60

Voted Absentee: Representatives Orr and Story.

Total 2

Excused: Representative Thomas.

Total 1

Motion that **SB 4** be concurred in as amended carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, E. Clark, Cobb, Dale, Dell, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Lawson, Lenhart, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters,

Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 67

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Davies, Eggers, Erickson, Facey, Gillan, Grinde, Gutsche, Hurdle, Jore, Juneau, Krenzler, Lindeen, McCann, Molnar, Orr, Peck, Raney, Rehbein, Shockley, Smith, Squires, Story, Swanson, Vick.
Total 33

Voted Absentee: Representatives Orr, Story, and Thomas.
Total 3

Excused: None
Total 0

SB 6 - Representative Grinde moved **SB 6** be concurred in.

Representative Menahan called for the previous question. Motion carried.

Motion that **SB 6** be concurred in carried 91-8 with Representatives Adams, Beck, P. Bergsagel, Brainard, Davies, Jore, Orr, and Shockley voting no, Representative Orr, Story, and Tash voting absentee, and Representative Thomas excused.

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

THIRD READING OF BILLS

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

SB 2 concurred in as follows:

Motion carried 98-1 with Representative Barnhart voting no, Representative Orr voting absentee, and Representative Thomas not voting.

SB 4, as amended by the House, concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, E. Clark, Cobb, Dale, Dell, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Lawson, Lenhart, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 67

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Davies, Eggers, Erickson, Facey, Gillan, Grinde, Gutsche, Hurdle, Jore, Juneau, Krenzler, Lindeen, McCann, Molnar, Orr, Peck, Raney, Rehbein, Shockley, Smith, Squires, Story, Swanson, Vick.
Total 33

Voted Absentee: Representatives Orr, Story, and Thomas.
Total 3

Excused: None
Total 0

SB 6 concurred in 91-8 with Representatives Adams, Beck, P. Bergsagel, Brainard, Davies, Jore, Orr, and Shockley voting no, Representative Orr, Story, and Tash voting absentee, and Representative Thomas excused.

MOTIONS

Representative Soft moved to call a special session concurrent with this special session for the purpose of drafting a constitutional amendment to be submitted to the electorate to create a tobacco settlement trust fund from not less than two-fifths of tobacco settlement proceeds, to be used to supplement tobacco disease prevention programs and health care needs of the people of Montana.

Motion received the following votes:

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

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Dale, Davies, Facey, Fisher, Gallus, Grinde, Jackson, Jore, Kasten, Molnar, Rehbein, Shockley, Trexler, Vick, Walters.
Total 21

Voted Absentee: none
Total 0

Excused: Representatives Orr, Story, and Thomas.
Total 3

Representative Soft moved to call a special session concurrent with this special session for the purpose of drafting a constitutional amendment to be submitted to the electorate that would create a special fund for the deposit of tobacco litigation settlement money to fund the medicaid program.

Motion received the following votes:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Cobb, Curtiss, Dale, Dell, Fuchs, Galvin-Halcro, Gillan, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Krenzler, Lenhart, Mangan, Matthews, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Quilici, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Tropila, Witt, Younkin, Zook, Mr. Speaker.
Total 58

Noes: Adams, P. Bergsagel, Buzzas, P. Clark, R. Clark, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jore, Juneau, Kitzenberg, Lawson, Lindeen, Masolo, McCann, McCulloch, Orr, Pavlovich, Peck, Raney, Shockley, Smith, Squires, Swanson, Trexler, Tuss, Vick, Wagner, Walters, Williams, Wyatt,
Total 42

Voting Absentee: Representatives Orr, Story, and Thomas.
Total 3

Excused: none
Total 0

Representative Molnar moved that **HB 5** be taken off the table in committee, be printed, and placed on second reading today.

Motion, requiring 3/5 vote, failed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, Molnar, Mood, Ohs, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Walters, Witt, Wyatt, Mr. Speaker.
Total 47

Noes: J. Andersen, Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Stovall, Swanson, Tuss, Williams, Younkin, Zook.
Total 50

Voted Absentee: None
Total 0

Excused: Representatives Orr, Story, and Thomas.
Total 3

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 5/9/2000

SB 7, introduced by Hertel
SB 9, introduced by Swysgood

FIRST READING AND COMMITMENT OF BILLS

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

SB 7, introduced by Hertel, referred to Agriculture.
SB 9, introduced by Swysgood, referred to Natural Resources.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a. m., Wednesday, May 10, 2000. Motion carried.

House adjourned at 4:25 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

