

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

Helena, Montana
May 10, 2000

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Kasten, Orr, and Thomas, Tuss, and Wyatt, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

Correctly enrolled: **HB 2.** 5/9/2000
Examined by the sponsor and found to be correct: **HB 2.** 5/9/2000
Signed by the Speaker at 8:05 a.m., May 10, 2000: **HB 2.**

FISH, WILDLIFE AND PARKS (Wagner, Chairman): 5/9/2000

HB 9, introduced bill, be amended as follows:

1. Title, lines 8 and line 9.

Following: "PROVIDING" on line 8

Strike: remainder of line 8 through "INCREASED" on line 9

Insert: "A"

2. Page 2, line 30.

Strike: line 30 in its entirety through "\$5,000"

Following: "A"

Insert: "A private employee who is authorized to issue licenses and who purposely or knowingly discloses an individual's social security number without the individual's authorization for purposes not authorized by law is guilty of a misdemeanor and upon conviction is subject to a fine of \$500, imprisonment for up to 6 months, or both."

3. Page 3, line 26.

Strike: line 26 in its entirety through "\$5,000"

Following: "A"

Insert: "A private employee who is authorized to issue licenses and who purposely or knowingly discloses an individual's social security number without the individual's authorization for purposes not authorized by law is guilty of a misdemeanor and upon conviction is subject to a fine of \$500, imprisonment for up to 6 months, or both."

And, as amended, do pass. Report adopted.

Committee announcements were announced by committee chairmen.

Representative Grinde moved that the House recess until 1:00 p.m., Wednesday, May 10, 2000. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 1:00 p.m.

Roll Call. All members present, except Representatives Orr and Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Barnett, Chairman): 5/10/2000
HJR 2, be adopted. Report adopted.
SB 7, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman): 5/10/2000
HB 7, introduced bill, be amended as follows:

1. Page 6, line 15.

Following: "~~72~~."

Insert: "Estate taxes are paid under protest by following the procedures set forth in Title 72."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 5/10/2000

SB 11, introduced by McNutt

FIRST READING AND COMMITMENT OF BILLS

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

SB 11, introduced by McNutt, referred to Taxation.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Tash, Chairman): 5/10/2000
SB 9, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman): 5/10/2000
HB 8, do pass. Report adopted.

MESSAGES FROM THE SENATE

House joint resolution concurred in and returned to the House: 5/10/2000

HJR 1, introduced by Story

Senate bills passed and transmitted to the House for concurrence: 5/10/2000

SB 12, introduced by Keenan

SB 13, introduced by Keenan

FIRST READING AND COMMITMENT OF BILLS

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

SB 12, introduced by Keenan, referred to Human Services.

SB 13, introduced by Keenan, referred to Human Services.

**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 Sliter in the chair.

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

HB 7 - Representative Younkin moved **HB 7** do pass.

Motion carried as follows:

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

Total 68

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

Total 32

Voted Absentee: Representatives Orr, Story, and Thomas.

Total 3

Excused: None

Total 0

HB 9 - Representative Harper moved **HB 9** do pass.

Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, 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, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan,

Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Dale, Hedges, Jackson, Davies, Hanson, Jore, Kasten, Mood, Orr, Rehbein, Story, Vick, Younkin.
Total 21

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

Excused: None
Total 0

HJR 2 - Representative Witt moved **HJR 2** be adopted.

Representative Brennan called for cloture. Motion carried by voice vote.

Motion that **HJR 2** be adopted carried as follows:

Ayes: Adams, Ahmer, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 67

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, Menahan, Peck, Raney, Mangan, McCulloch, Schmidt, Squires, Williams, Wyatt.
Total 31

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

Excused: Representatives R. Clark and Swanson
Total 2

SB 7 - Representative Grinde moved **SB 7** be concurred in.

SB 7 - Representative P. Clark moved **SB 7**, second reading copy, be amended as follows :

1. Title, line 5.

Following: "LICENSES"

Insert: "AND APPLICATIONS FOR EXPANSIONS OF EXISTING OPERATIONS"

2. Page 1, line 15.

Following: "license"

Insert: "or new applications for an expansion of an existing alternative livestock ranch"

Amendment failed as follows:

Ayes: Beck, Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Haines, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, McCulloch, Menahan, Noennig, Quilici, Raney, Schmidt, Shockley, Soft, Squires, Swanson, Vick, Williams, Wyatt.

Total 34

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hagener, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Rehbein, Rose, Ryan, Simon, Sliter, Smith, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Voted Absentee: Representatives Orr and Thomas.

Total 2

Excused: Representatives Eggers and Golie.

Total 2

Motion that **SB 7** be concurred in, carried as follows:

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

Total 88

Noes: Adams, P. Bergsagel, P. Clark, Davies, Eggers, Galvin-Halcro, Gutsche, Hurdle, Jore, Lindeen, Molnar, Wagner.

Total 12

Voted Absentee: Representatives Mercer, Ohs, Orr, and Thomas.

Total 4

Excused: None

Total 0

SB 9 - Representative Tash moved **SB 9** be concurred in.

Ayes: 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, Gallus, Grinde, Haines, Hanson, Harrington, Hedges, Jackson, Johnson, Jore, Kasten, Kitzenberg, Masolo, Matthews, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Holden, Hurdle, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCann, McCulloch, Noennig, Peck, Raney, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Vick, Williams, Younkin.
Total 40

Voted Absentee: Representatives Orr and Thomas.
Total 2

Excused: None
Total 0

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 by voice vote.

THIRD READING OF BILLS

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

HB 7 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 68

Noes: Barnhart, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Krenzler, Lawson, Lindeen, Mangan, McCulloch, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Squires, Swanson, Williams, Wyatt.
Total 32

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

Excused: None
Total 0

HB 9 passed as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, 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, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Dale, Hedges, Jackson, Davies, Hanson, Jore, Kasten, Mood, Orr, Rehbein, Story, Vick, Younkin.
Total 21

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

Excused: None
Total 0

HJR 2 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 67

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, Menahan, Peck, Raney, Mangan, McCulloch, Schmidt, Squires, Williams, Wyatt.
Total 31

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

Excused: Representatives R. Clark and Swanson
Total 2

SB 7 concurred in as follows:

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

Speaker.
Total 88

Noes: Adams, P. Bergsagel, P. Clark, Davies, Eggers, Galvin-Halcro, Gutsche, Hurdle, Jore, Lindeen, Molnar, Wagner.
Total 12

Voted Absentee: Representatives Mercer, Ohs, Orr, and Thomas.
Total 4

Excused: None
Total 0

SB 9 concurred in as follows:

Ayes: Adams, Ahmer, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bimney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Harrington, Hedges, Jackson, Johnson, Jore, Kasten, Kitzenberg, Masolo, Matthews, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Holden, Hurdle, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCann, McCulloch, Noennig, Peck, Raney, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Vick, Williams, Younkin.
Total 40

Voted Absentee: Representatives Orr and Thomas.
Total 2

Excused: None
Total 0

MOTIONS

Representative Jore moved that his name be removed as chief sponsor of **HB 7** and that Representative Younkin's name be added as chief sponsor. Motion carried.

Representative Krenzler moved to expand the special session to include legislation for an act amending the insurance information and privacy protection act; amending Chapter 212, laws of 1999; and providing an immediate effective date and a retroactive applicability date. Motion carried 95-3 with Representatives Ewer, Facey, and Mangan voting no and Representatives Orr and Thomas excused.

Representative Hibbard moved that the legislature convene itself in a special session to run concurrently with the special session called by the Governor to consider legislation urging Congress to modify the estate tax. Motion carried 94-4 with Representatives Facey, Gillan, Mangan, and Noennig voting no and Representatives Orr and Thomas excused.

MESSAGES FROM THE SENATE

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

5/10/2000

HB 1, introduced by Ohs

House amendments to Senate bill concurred in:

5/10/2000

SB 4, introduced by M. Taylor

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 9:00 a.m., Thursday, May 11, 2000. Motion carried.

House adjourned at 6:35 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

