

**HOUSE JOURNAL
SIXTH LEGISLATIVE DAY**

Helena, Montana
January 9, 1999

House Chambers
State Capitol

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

Roll Call. All members present except Representatives Bookout-Reinicke, Buzzas, Galvin-Halcro, McGee, Menahan, Molnar, Ohs, Sliter, Taylor, and Wagner excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/9/1999
Correctly printed: **HB 38, HB 55.**
Correctly engrossed: **HB 30, HB 57.**

BUSINESS AND LABOR (Simon, Chairman): 1/8/1999
HB 63, introduced bill, be amended as follows:

1. Title, page 1, line 8.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "50-60-203,"
Insert: "50-60-504, 50-60-603, 50-60-702, AND 50-74-101,"

2. Page 2, line 5.
Following: "officials;"
Insert: "and"

3. Page 2, line 7.
Following: "officials"
Strike: ".
Insert: "."

4. Page 2.
Strike: line 8 through line 14.

5. Page 2, line 24.
Insert: **Section 2.** Section 50-60-504, MCA, is amended to read:
"50-60-504. Department to ~~prescribe minimum standards~~ adopt published code. The department of commerce shall ~~by rule prescribe minimum standards which are uniform and which are thereafter adopt the 1997 edition of the Uniform Plumbing Code, published by the international association of plumbing and mechanical officials, or, within 6 months of the publishing date, the most recent edition of the same code, as the basis for rules that are effective for all plumbing installations or maintenance, except where when exempt by 50-60-503. The department may not adopt any portion of the Uniform Plumbing Code that prescribes a cost or fee schedule. Costs and fees associated with the application and enforcement of the plumbing code are governed by 50-60-508.~~"

Insert: **Section 3.** Section 50-60-603, MCA, is amended to read:
"50-60-603. Electrical installations to comply with ~~building codes adopted by department~~ published

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~~code. (1) The department of commerce shall adopt the 1996 edition of the National Electrical Code, published by the national fire protection association, or, within 6 months of the publishing date, the most recent edition of the same code, as the basis for rules that are effective for ~~all~~ all installations in this state of wires and equipment to convey electric current and installations of apparatus to be operated by current, except as provided in 50-60-602, shall be made substantially in accord with building codes adopted by the department of commerce.~~

~~(2) Rules and standards relating to buildings and equipment shall be promulgated by the department."~~

Insert: **Section 4.** Section 50-60-702, MCA, is amended to read:

"50-60-702. Department to adopt inspection standards -- certification of inspectors. (1) The department shall adopt the Safety Code for Elevators and Escalators, A17.1-1996 edition and A17.1a-1997 addenda, published by the American society of mechanical engineers, or, within 6 months of the publishing date, the most recent edition of or addenda to the same code, as the basis for standards for passenger elevator and escalator inspections that ~~assure~~ ensure compliance with the requirements of the state building code.

(2) The department shall adopt rules for the certification of maintenance and insurance company inspectors who may inspect passenger elevators and escalators pursuant to 50-60-701."

Insert: **Section 5.** Section 50-74-101, MCA, is amended to read:

"50-74-101. Definition -- department to formulate rules. (1) As used in this chapter, the term "department" means the department of commerce.

(2) The department shall adopt the 1995 edition of the Boiler and Pressure Vessel Code, published by the American society of mechanical engineers, or, within 6 months of the publishing date, the most recent edition of the same code, as the basis for definitions and rules for the safe construction, installation, operation, inspection, and repair of equipment covered by this chapter. ~~The definitions and rules must follow generally accepted nationwide engineering standards as published by the American society of mechanical engineers."~~

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/8/1999

SB 4, introduced by Mahlum

SB 6, introduced by Hargrove

FIRST READING AND COMMITMENT OF BILLS

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

HB 243, introduced by B. Lawson, referred to Judiciary.

HB 244, introduced by T. Facey, referred to State Administration.

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

HJR 9, introduced by C. Tuss, B. DePratu, L. Grosfield, D. Mood, K. Ohs, E. Swanson, J. Tester, M. Waterman (by request of the Joint Select Committee on Jobs and Income), referred to Joint Select Committee on Jobs and Income.

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

SB 4, introduced by D. Mahlum (by request of the Department of Commerce), referred to Business and Labor.

SB 6, introduced by D. Hargrove, referred to Judiciary.

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 30 passed as follows:

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

Total 94

Noes: None.

Total 0

Voted Absentee: Bookout-Reinicke, Galvin-Halcro, McGee, Ohs, Sliter, Taylor, Wagner, Ayes.

Excused: Buzzas, Menahan, Molnar.

Total 3

Absent or not voting: R. Clark, Shockley, Mr. Speaker.

Total 3

HB 57 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Barnhart, Beck, P. Clark, Ewer, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Johnson, Mangan, Peck, Quilici, Ryan, Schmidt, Tuss, Wyatt.

Total 20

Voted Absentee: Bookout-Reinicke, Buzzas, McGee, Ohs, Sliter, Taylor, Wagner, Ayes; Galvin-Halcro, No.

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Excused: Menahan, Molnar.
Total 2

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 72**: Representatives C. Ahner, G. Beck, R. Bitney, R. Brown, R. Erickson, D. Ewer, T. Facey, S. Fisher, D. Fuchs, S. Gallus, K. Gillan, T. Hagener, R. Haines, H. Harper, D. Harrington, J. Hurdle, S. Kitzenberg, M. Lindeen, L. McCulloch, R. Menahan, D. Mood, M. Noennig, B. Pavlovich, J. Quilici, B. Raney, J. Rose, B. Simon, P. Sliter, C. Squires, J. Stovall, E. Swanson, B. Tash, J. Tropila, C. Tuss, C. Williams, D. Wyatt, and Senators S. Bartlett, T. Beck, A. Bishop, J. Bohlinger, C. Christiaens, V. Cocchiarella, B. Crippen, S. Doherty, A. Ellis, E. Franklin, M. Halligan, J. Harp, J. Hertel, J.D. Lynch, B. McCarthy, K. Mesaros, B. Stang, C. Swysgood, F. Thomas, M. Waterman, and B. Wilson.

The following cosponsors were added to **HB 188**: Representatives D. Mood, K. Ohs, B. Simon, E. Swanson, and Senators R. DePratu, L. Grosfield, M. Taylor, J. Tester, and M. Waterman.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Monday, January 11, 1999. Motion carried.

House adjourned at 8:10 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House