

**HOUSE JOURNAL
EIGHTH LEGISLATIVE DAY**

Helena, Montana
January 12, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Andersen. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/12/1999
Correctly printed: **HB 27, HB 48, HB 63, HB 81, HB 88, HB 101.**
Correctly engrossed: **HB 32, HB 38, HB 55, HB 73.**

JUDICIARY (Clark, Chairman): 1/11/1999
HB 27, do pass. Report adopted.

HB 48, introduced bill, be amended as follows:

1. Page 17, line 9.

Insert: "NEW SECTION. Section 14. Codification instruction. The code commissioner shall codify all material enacted by the 56th legislature that amends material affected by [this act] to reflect the provisions of [this act] and shall make corresponding changes in style and arrangement to accommodate the codification."

And, as amended, do pass. Report adopted.

HB 81, introduced bill, be amended as follows:

1. Page 2, line 16.

Strike: "∴"

Insert: ", except for a youth transferred to district court under and found guilty of an offense enumerated in 41-5-206(1),"

2. Page 2, line 17.

Strike: "(i)"

Strike: "or"

3. Page 2, line 18 through line 19.

Strike: line 18 through line 19 in their entirety

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman): 1/11/1999
HB 29, do pass. Report adopted.

TRANSPORTATION (Anderson, Chairman): 1/12/1999
HB 189, do pass. Report adopted.

MESSAGES FROM THE SENATE

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Senate bills passed and transmitted to the House for concurrence:

1/11/1999

SB 10, introduced by Mohl

SB 15, introduced by Cole

FIRST READING AND COMMITMENT OF BILLS

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

HB 199, introduced by J. Cobb, referred to Taxation.

HB 256, introduced by J. Cobb, referred to State Administration.

HB 257, introduced by C. Younkin, A. Bishop, J. Cobb, D. Eck, D. Ewer, D. Grimes, G. Gutsche, D. Hargrove, H. Harper, J. Hurdle, S. Stang, B. Tash, referred to Judiciary.

HB 258, introduced by J. Cobb, referred to State Administration.

HB 259, introduced by R. Johnson, referred to Transportation.

HB 260, introduced by D. Mood, B. DePratu, L. Grosfield, K. Ohs, E. Swanson, referred to Joint Select Committee on Jobs and Income.

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

SB 10, introduced by A. Mohl (by request of the Department of Transportation), referred to Transportation.

SB 15, introduced by M. Cole (by request of the Department of Revenue), referred to Taxation.

**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 Tropila in the chair.

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

HB 1 - Representative Zook moved **HB 1**, as amended, do pass.

HB 1 - Representative Zook moved that **HB 1** be moved to the bottom of the board. Motion carried.

HB 63 - Representative Simon moved **HB 63** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Hagener, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, Barnhart, Beck, Buzzas, P. Clark, Curtiss, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gutsche, Haines, Harper, Jackson, Jore, Lenhart, McCulloch, Rehbein, Ryan, Story, Swanson, Williams, Wyatt.

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Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 101 - Representative Bookout-Reinicke moved **HB 101** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, 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, 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 93

Noes: E. Bergsagel, Brainard, Curtiss, Harper, Jore, Orr, Rehbein.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 88 - Representative Peck moved **HB 88** do pass. Motion failed as follows:

Ayes: Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Smith, Squires, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Williams, Wyatt.

Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Story, Tash, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 1 - Representative Zook moved **HB 1**, as amended, do pass .Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Dell, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Masolo, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 67

Noes: Adams, Ahner, P. Bergsagel, Barnhart, E. Bergsagel, Brainard, P. Clark, Cobb, Davies, Eggers, Erickson, Ewer, Gillan, Gutsche, Harper, Hurdle, Jore, Kasten, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, Orr, Raney, Rehbein, Sliter, Somerville, Squires, Tuss, Vick, Wagner.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

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

Total 90

Noes: Cobb, Ewer, Harper, Hurdle, Raney, Rehbein, Tuss.

Total 7

Excused: None.

Total 0

Absent or not voting: Curtiss, Golie, Younkin.

Total 3

MOTIONS

Representative Grinde moved that the rules be suspended to allow **HB 1** to be placed and considered on third reading

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this legislative day. Motion carried.

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 38 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, 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, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, 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, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Adams, Brainard, Fuchs, Jore, Vick.

Total 5

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

HB 55 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, 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, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, P. Bergsagel, E. Bergsagel, Brown, R. Clark, Curtiss, Fuchs, Grinde, Jore, Lawson, McGee, Molnar, Orr, Rehbein, Vick, Wagner.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 1 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Buzzas, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Masolo, McGee, 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, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Adams, Ahner, P. Bergsagel, Barnhart, E. Bergsagel, Brainard, Brown, P. Clark, Cobb, Davies, Ewer, Gutsche, Harper, Hurdle, Jore, Kasten, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, Molnar, Orr, Rehbein, Sliter, Somerville, Tuss, Vick, Wagner.

Total 30

Excused: None.

Total 0

Absent or not voting: E. Clark, Wyatt.

Total 2

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 195**: Representative H. Harper.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Wednesday, January 13, 1999. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House