

**HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 18, 1999

House Chambers  
State Capitol

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

Roll Call. All members present except Representatives Curtiss and McCann. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the ninth, tenth, eleventh, and twelfth legislative days, find the same to be correct.

Rehbein, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 1/18/1999  
Correctly printed: **HB 52, HB 116, HB 135, HB 170, HB 180, HB 190, HJR 6.**  
Correctly engrossed: **HB 44, HB 65, HB 71, HB 76, HB 82, HB 94.**

**APPROPRIATIONS** (Zook, Chairman): 1/18/1999  
**HB 3**, introduced bill, be amended as follows:

1. Page 1, line 24.

**Strike:** "\$167,400"

**Insert:** "\$125,479"

2. Page 1, line 26.

**Strike:** "\$11,702,203"

**Insert:** "\$10,545,963"

3. Page 1, line 30.

**Strike:** "\$237,116"

**Insert:** "\$226,348"

Comment: These amendments reduce the requested supplemental appropriations to the revised executive levels for: 1) legal fees in the Commissioner of Political Practices; 2) fire suppression in the Department of Natural Resources and Conservation; and 3) the Human Rights Bureau in the Department of Labor and Industry.

And, as amended, do pass. Report adopted.

**HB 41**, introduced bill, be amended as follows:

1. Title, line 5.

**Strike:** "ELIMINATING"

**Insert:** "EXTENDING"

2. Page 1, line 13.

**Following:** "date"

**Strike:** "."

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**Following:** "(†)"

**Insert:** "-- termination.(1)"

3. Page 1, line 14.

**Following:** "~~1999~~."

**Insert:** "(2) [This act] terminates June 30, 2003."

And, as amended, do pass. Report adopted.

**HB 207**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Following:** "FUND;"

**Insert:** "STATUTORILY APPROPRIATING THE EXPENSE PAYMENTS AND DISTRICT COURT GRANTS;"

2. Page 3.

**Following:** line 13

**Insert:** "(3) All revenue disbursed under this section must be deposited in and credited to the district court fund. If a district court fund does not exist, the revenue must be deposited in the county general fund for district court operations."

**Renumber:** subsequent subsection

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (Tash, Chairman):

1/18/1999

**HB 58**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence:

1/16/1999

**SB 24**, introduced by Nelson

**SB 55**, introduced by Taylor

**SB 56**, introduced by McCarthy

**SB 79**, introduced by Swysgood

**SB 80**, introduced by Swysgood

**SB 61**, introduced by Ellis, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

Yeas - 29

Nays - 20

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 314**, introduced by B. Raney, S. Anderson, M. Cole, B. Crippen, L. Grinde, L. Grosfield, H. Harper, C. Hibbard, S. Stang, B. Story, J. Stovall, E. Swanson, referred to Fish, Wildlife and Parks.

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**HB 315**, introduced by B. Raney, J. Bohlinger, B. Crippen, S. Doherty, L. Grinde, L. Grosfield, H. Harper, S. Stang, B. Story, E. Swanson, referred to Fish, Wildlife and Parks.

**HB 316**, introduced by B. Raney, B. Crippen, B. Eggers, L. Grinde, L. Grosfield, R. Jabs, C. Juneau, S. Stang, J. Stovall, referred to Fish, Wildlife and Parks.

**HB 317**, introduced by B. Raney, H. Harper, referred to Fish, Wildlife and Parks.

**HB 318**, introduced by A. Walters, D. Adams, R. Bitney, M. Brainard, A. Curtiss, B. Davies, R. Jore, T. Keating, S. Orr, J. Wells, referred to Taxation.

**HB 319**, introduced by R. Dale, C. Ahner, D. Fuchs, P. Sliter, B. Tash, referred to Human Services.

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

**SB 24**, introduced by L. Nelson, referred to Judiciary.

**SB 55**, introduced by M. Taylor (by request of the Legislative Finance Committee), referred to Appropriations.

**SB 56**, introduced by B. McCarthy, referred to Education.

**SB 79**, introduced by C. Swysgood, referred to Education.

**SB 80**, introduced by C. Swysgood, referred to Education.

**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 Ohs in the chair.

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

**HB 99** - Representative Hagener moved **HB 99** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, 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, 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, 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 94

Noes: Adams, Brainard, Jore, Rehbein, Wagner.

Total 5

Voted Absentee: McCann, Aye.

Excused: Curtiss.

Total 1

Absent or not voting: None.

Total 0

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**HB 210** - Representative Johnson moved **HB 210** do pass. Motion 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, Dale, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, 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, Orr, 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, Younkin, Zook, Mr. Speaker.

Total 87

Noes: E. Bergsagel, P. Bergsagel, Brainard, Davies, Erickson, Grinde, Jore, Kasten, McGee, Rehbein, Story, Vick.

Total 12

Voted Absentee: McCann, Aye.

Excused: Curtiss.

Total 1

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

Total 95

Noes: Rehbein.

Total 1

Excused: Curtiss, McCann.

Total 2

Absent or not voting: Swanson, Williams.

Total 2

**THIRD READING OF BILLS**

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

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following manner:

**HB 71** passed as follows:

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

Total 79

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Fuchs, Grinde, Jore, Kasten, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Taylor, Vick, Wagner, Walters.

Total 21

Voted Absentee: McCann, Aye; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 44** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, 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, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Galvin-Halcro, Grinde, Jore, Kasten, McGee, Orr, Rehbein, Sliter, Wyatt.

Total 15

Voted Absentee: McCann, Aye; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 65** passed as follows:

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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, 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, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore, Orr, Story.

Total 3

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 94** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, 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, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Jore, McGee, Molnar, Orr, Rehbein, Vick.

Total 10

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: P. Clark, Somerville.

Total 2

**HB 82** 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, Dale, Davies, Dell, Erickson, Ewer, Facey,

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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, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: P. Bergsagel, Orr, Vick.

Total 3

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Eggers.

Total 1

**HB 76** passed as follows:

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

Total 79

Noes: Adams, Buzzas, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hurdle, Jore, Mangan, Matthews, McCulloch, McGee, Orr, Ryan, Squires, Tropila, Tuss, Williams, Witt, Wyatt.

Total 20

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

**HB 109** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith,

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Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, Barnhart, P. Bergsagel, Brainard, Buzzas, P. Clark, Curtiss, Davies, Ewer, Harper, Hurdle, Jackson, Johnson, Jore, Kasten, McCann, McGee, Molnar, Orr, Peck, Soft, Swanson, Vick, Wagner.

Total 24

Voted Absentee: Curtiss, McCann, Noes.

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

**MOTIONS**

Representative Hurdle requested that her vote be changed from yes to no on HB 76 on 2nd reading on Saturday, January 16, 1999, Legislative Day 12. Motion carried.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, January 19, 1999. Motion carried.

House adjourned at 1:55 p.m.

MARILYN MILLER  
Chief Clerk of the House

JOHN MERCER  
Speaker of the House