

**HOUSE JOURNAL
FIFTEENTH LEGISLATIVE DAY**

Helena, Montana
January 20, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Lenhart. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Curtiss. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/20/1999
Correctly printed: **HB 36, HB 53, HB 70, HB 85, HB 90, HB 95, HB 115, HB 172, HB 187, HB 200, HB 237, HB 239, HB 240, HB 250, HB 252, HB 260.**
Correctly engrossed: **HB 170, HB 180, HB 190, HB 215.**
Examined by the sponsor and found to be correct, January 19, 1999: **HR 1.**
Signed by the Speaker at 7:49 a.m., January 20, 1999: **HR 1.**
Delivered to the Secretary of State, January 20, 1999: **HR 1.**

APPROPRIATIONS (Zook, Chairman): 1/19/1999
HB 75, do pass. Report adopted.
SB 17, be concurred in. Report adopted.
SB 50, be concurred in. Report adopted.
HB 64, introduced bill, be amended as follows: 1/20/1999

1. Title, page 1, line 4.
Following: "A"
Insert: "PRIORITIZED"

2. Page 2, line 27.
Following: "a"
Insert: "prioritized"

3. Page 2, line 28.
Following: the first "the"
Insert: "prioritized"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 1/19/1999
HB 167, do pass. Report adopted.
HB 200, introduced bill, be amended as follows:

1. Page 1, line 14.
Following: "greater."
Insert: "not to exceed \$10,000,"

And, as amended, do pass. Report adopted.

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HB 227, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "90 DAYS"

Insert: "1 YEAR"

2. Title, page 1, line 9.

Following: "FILE;"

Insert: "PROVIDING AN EXCEPTION FOR CHILD SUPPORT AND SPOUSAL DEBTS;"

3. Page 1, line 16.

Following: "file."

Strike: "If"

Insert: "Except for a child support or spousal debt, if"

4. Page 1, line 18.

Strike: "90 days"

Insert: "1 year"

5. Page 2, line 3 and line 22.

Following: "corporation"

Strike: "s" in both places

And, as amended, do pass. Report adopted.

HB 229, do pass. Report adopted.

HB 250, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "CORPORATIONS"

Insert: "ORGANIZATIONS"

2. Page 1, line 20.

Strike: "corporations"

Insert: "organizations"

And, as amended, do pass. Report adopted.

EDUCATION (Masolo, Chairman):

1/20/1999

HB 125, introduced bill, be amended as follows:

1. Page 1, line 28.

Strike: "within a library system, as defined in 22-1-402,"

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

1/19/1999

HB 53, introduced bill, be amended as follows:

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1. Page 2, line 11 through line 12.

Strike: ", excluding" on line 11 through "staff" on line 12

Following: "executed." on line 12

Insert: "The witnesses must, to the extent possible, include three persons from the news media, three persons designated by the family of the victim of the crime, three persons designated by the person to be executed, and three persons chosen by the department of corrections."

2. Page 2, line 13.

Strike: subsection (c) in its entirety

Insert: "(c) A proposed witness is subject to rejection by the department of corrections if the department has reason to believe that the witness:

(i) poses a risk to the safety or security of department of corrections personnel, the other witnesses, or other persons; or

(ii) is likely to disrupt proceedings due to the witness's emotional or mental state."

And, as amended, do pass. Report adopted.

HB 115, introduced bill, be amended as follows:

1. Page 3, line 12.

Strike: "or"

2. Page 3, line 13.

Following: "commitment"

Insert: "of a person not referred to in subsection (1)(e)(iii)"

3. Page 3, line 15.

Following: "suspended;"

Insert: "or"

(iii) commitment of a youth transferred to district court under 41-5-206 and found guilty in the district court of an offense enumerated in 41-5-206 to the department of corrections for a period determined by the court for placement in an appropriate correctional facility or program;

4. Page 5, line 30.

Following: "sentence"

Insert: "if the court determines that the unconditional discharge is in the best interests of the probationer and society and will not present an unreasonable risk of danger to the victim of the offense and that the probationer has paid all court-ordered restitution and financial obligations"

5. Page 12, line 25.

Insert: "NEW SECTION. Section 14. Coordination instruction. If House Bill No. 81 and [this act] are both passed and approved and if both contain amendments to 46-18-201(1)(e), then the amendments to 46-18-201(1)(e) contained in House Bill No. 81 are void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

1/20/1999

HB 91, introduced bill, be amended as follows:

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1. Page 1, line 23 through line 24.

Following: "means"

Strike: "the" on line 23 through "50-60-101" on line 24

Insert: ": (a) the area outside the limits of an incorporated municipality in which building code jurisdiction has been extended at the written request of a municipality prior to [the effective date of this act]; or
(b) the area outside the limits of an incorporated municipality in which a municipality proposes to extend its building code jurisdiction by means of a special mail ballot election as provided in 13-19-106 and [sections 1 through 4]"

And, as amended, do pass. Report adopted.

HB 123, do pass. Report adopted.

HB 151, do pass. Report adopted.

HB 192, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "MUST"

Insert: "MAY CONTRACT WITH A POLICE OFFICER TO"

2. Title, page 1, line 6.

Following: "REQUIREMENT"

Insert: "; AND PROVIDING FOR REASONABLE ATTORNEY FEES AND COSTS TO THE PREVAILING PARTY IN AN ACTION TO ENFORCE ANY PROVISION OF THE CONTRACT"

3. Page 1, line 12.

Following: "7-32-4107, the"

Strike: "officer agrees"

Insert: "city or town may require the officer to enter into a contract for reimbursement subject"

4. Page 1, line 13.

Following: "The"

Insert: "contract may require that the"

Strike: "must"

5. Page 1, line 16.

Following: "(3)"

Insert: "(a)"

Strike: "is"

Insert: "may be"

6. Page 1, following line 18.

Insert: "(b) For the purposes of this section, "total cost" means the cost of the officer's basic course training, salary, mileage, and expenses paid to the officer while the officer is in training."

7. Page 1, line 19.

Following: "The"

Insert: "contract may require that the"

Strike: "shall"

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8. Page 1, line 20.

Strike: "negotiated"

Insert: "contained in the contract"

9. Page 1, line 22.

Following: "to"

Insert: "in the contract"

10. Page 1, following line 26.

Insert: "(7) In an action brought to enforce any provision of a contract entered into under this section, the court shall award reasonable attorney fees and costs to the prevailing party."

And, as amended, do pass. Report adopted.

HB 212, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "TOBACCO-FREE OR"

2. Page 1, line 22.

Strike: "under its jurisdiction"

Insert: "maintained by it"

3. Page 1, line 23.

Strike: "tobacco-free or"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

1/19/1999

HB 36, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "STATE MILITARY FORCES"

Insert: "NATIONAL GUARD"

2. Page 1, line 13.

Strike: "militia"

Insert: "national guard"

3. Page 1, line 15.

Strike: "military forces"

Insert: "national guard"

Following: "members"

Strike: "of the national guard"

4. Page 1, line 20.

Strike: "military forces"

Insert: "national guard"

5. Page 1, line 22.

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Strike: "military forces"
Insert: "national guard"

6. Page 1, line 23.

Strike: "of the national guard"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT SELECT COMMITTEE ON JOBS AND INCOME (DePratu, Chairman):
HB 238, introduced bill, be amended as follows:

1/20/1999

1. Title, line 8.

Following: "DUTIES"

Insert: "AND QUALIFICATIONS"

Strike: "QUALIFICATIONS" through "SPECIALISTS"

Insert: "THE DIRECTOR OF RESEARCH"

2. Title, lines 10 and 11.

Following: "STATE;"

Strike: "PROVIDING " on line 10 through "APPROPRIATION;" on line 11

Following: "PROVIDING" on line 11

Insert: "AN IMMEDIATE"

Following: "EFFECTIVE" on line 11

Strike: "DATES"

Insert: "DATE"

3. Page 1, line 15.

Following: "through"

Insert: "5 and 7 through"

4. Page 1, line 20.

Following: "enterprises,"

Insert: "to raise the existing wages, salaries, and business incomes and reduce the number of low-income or unemployed people in the state,"

5. Page 1, line 26.

Following: "business"

Insert: "and labor"

6. Page 2, line 2.

Following: "government,"

Insert: "tribal governments,"

7. Page 2, line 11.

Strike: "livable wage"

8. Page 2, line 12.

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Following: "jobs "

Insert: "that pay a wage higher than the average weekly wage, as defined in 39-71-116, "

Strike: "multiple-jobholders "

Insert: "people holding multiple jobs out of necessity"

9. Page 2, line 16.

Following: "small"

Insert: "basic"

10. Page 2, line 20.

Following: "of"

Insert: "existing and future"

11. Page 2, line 22.

Strike: "and"

12. Page 2, line 23.

Following: "agencies "

Insert: "; and

(j) promote job training programs, including those that prepare Montana workers for new highway construction jobs made possible through the federal transportation budget0"

13. Page 2, line 25.

Following: "through"

Insert: "5 and 7 through"

14. Page 3.

Following: line 4

Insert: "(1) "Basic business" or "basic industry" means a business or industry that is responsible for injecting primarily new funds into Montana's economic base that are spent and respent in the state."

Renumber: subsequent subsections

15. Page 3, line 6.

Following: "Executive director"

Insert: "or "director of research"

Following: "means"

Strike: "the"

Insert: "a"

16. Page 3, line 7.

Following: "state"

Strike: ", "

Insert: "or"

Following: "local"

Strike: ", or"

Insert: "agencies, "

Following: "tribal"

Strike: "government agencies"

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Insert: "governments,"

17. Page 3, lines 10 and 11.

Strike: subsection (3) in its entirety

18. Page 3, line 15.

Strike: "15"

Insert: "7"

Strike: ", 13 of whom"

Insert: "who"

19. Page 3, lines 16 and 17.

Strike: "from" on line 16 through "(4)" on line 17

20. Page 3, line 17.

Strike: "30"

Insert: "45"

21. Page 3, lines 17 through 20.

Strike: "The" on line 17 through "house." on line 20

22. Page 3, line 22.

Strike: "and"

Insert: "or"

23. Page 3, line 23.

Following: "state"

Insert: "and its workers"

24. Page 3, line 25 through page 4, line 12.

Strike: subsection (4) in its entirety

Insert: "(4) The commission membership must include:

(a) one member who owns or represents a business;

(b) one member who represents production agriculture;

(c) one member who represents the advanced technology sector;

(d) one member who represents the manufacturing sector; (e) one member who represents an industry

that adds value to natural resources;

(f) one member who represents organized labor; and

(g) one member who has extensive experience in

research and commercialization."

25. Page 4, line 16.

Strike: "two" through "specialists"

Insert: "a director of research"

26. Page 4, line 17.

Strike: "program specialists'"

Insert: "director of research's"

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27. Page 4, line 22.

Strike: subsection (c) in its entirety

Insert: "(8) The commission may request additional members of the public to advise the business development committee provided for in [section 13] or the research and commercialization committee provided for in [section 11] if additional expertise is necessary to address a specific committee issue, including but not limited to advice on Indian culture and tribal economic issues. Members of the public serving as advisors to each committee are nonvoting members but may receive expenses, as provided in 2-18-501 through 2-18-503, for each day spent conducting official committee business."

Renumber: subsequent subsection

28. Page 4, line 26.

Strike: "once each quarter"

Insert: "bimonthly"

29. Page 4, line 27.

Strike: ", except legislative members,"

30. Page 4, line 28.

Strike: "\$100"

Insert: "\$50"

31. Page 5, line 1.

Strike: "program specialists"

Insert: "director of research"

32. Page 5, line 2.

Strike: "(1)" on line 2 through "commission." on line 20

Insert: "(1) The commission shall develop a job description and hire an executive director.

(2) The executive director is responsible for:

(a) managing commission staff;

(b) monitoring and updating business assistance strategies designed to encourage business expansion and job creation and for business recruitment programs;

(c) monitoring and promoting activities that increase the presence of Montana products in new and expanding markets;

(d) promoting and facilitating program strategies that add value to Montana products;

(e) developing a job description, for approval by the commission, for a director of research that is consistent with the purposes of [sections 11 and 12] and recommending for the commission's approval a qualified applicant to fill the position; and

(f) any additional responsibilities determined necessary and appropriate by the commission.

(3) The director of research is responsible for:

(a) documenting and monitoring grants approved by the commission for research and commercialization projects;

(b) reporting to the legislature and the governor about investments made in research and commercialization activities and developments and opportunities in diversified research areas; and

(c) any other responsibilities, including but not limited to research and commercialization responsibilities pursuant to [sections 11 and 12].

(4) The commission may hire additional staff as necessary within budgetary limitations."

33. Page 5, line 23.

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Following: "through"

Insert: "5 and 7 through"

34. Page 6, line 5.

Following: "Montana's"

Insert: "existing and future"

35. Page 6, line 19.

Strike: "and"

36. Page 6, line 20.

Following: "growth;"

Insert: "and"

(iii) reports current trends in Montana's economy and its important sectors;"

37. Page 7, line 3.

Strike: "livable" through "Montana"

Insert: "Montanans holding jobs that pay wages above the average weekly wage as defined in 39-71-116"

38. Page 7, line 5.

Strike: "multiple jobholders"

Insert: "people"

Following: "state"

Insert: "holding multiple jobs out of necessity"

39. Page 7, line 18.

Strike: "Each" through "specialist."

Insert: "The business development committee must be served by the executive director, and the research and commercialization committee must be served by the director of research."

40. Page 8, line 5.

Strike: "program specialist"

Insert: "director of research"

41. Page 8, line 12 through line 13.

Strike: "There" on line 12 through "specialist." on line 13

Insert: "The director of research shall implement the rules and policies adopted by the research and commercialization committee."

42. Page 8, line 28.

Strike: "any"

Insert: "prioritized"

Following: "."

Insert: "At least 20% of the available research and commercialization investments must be directed toward projects that enhance production agriculture."

43. Page 8.

Following: line 30

Insert: "(6) Members of the commission may not apply for or receive research and commercialization grants. If

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a member of the commission is affiliated with an organization that applies to the commission for a research and commercialization grant, the member shall disclose the nature of the affiliation and may not participate in the decisionmaking process of the commission regarding the application."

44. Page 9, line 8.

Following: "opportunities"

Insert: "and that add to the state's economic base"

45. Page 9, line 22.

Strike: "program specialist"

Insert: "executive director"

46. Page 9, line 26.

Following: "that"

Insert: ": (i)"

47. Page 9, line 27.

Following: "time"

Insert: "; and

(ii) is oriented primarily toward adding value to Montana's economic base"

48. Page 9, line 28 through line 29.

Strike: "There" on line 28 through "specialist." on line 29

Insert: "The executive director shall implement the policies and programs developed by the business development committee."

49. Page 9, line 30.

Following: "shall"

Insert: ", consistent with the plan in subsection (1)"

50. Page 10, line 4.

Strike: "commission"

Insert: "committee"

51. Page 10, line 12.

Strike: "board"

Insert: "commission"

52. Page 11, line 22.

Following: "5-2-504"

Insert: "; (20) executive director and director of research of the Montana jobs and income commission"

53. Page 12, line 19.

Strike: "program specialists"

Insert: "director of research"

Following: "Montana"

Insert: "jobs and income"

Strike: "on jobs and income"

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54. Page 12, line 20.

Insert: "NEW SECTION. Section 16. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa."

Renumber: subsequent sections

55. Page 12, line 21.

Strike: "instruction."

Insert: "instructions. (1)"

Following: "through"

Insert: "5 and 7 through"

56. Page 12, line 23.

Following: "through"

Insert: "5 and 7 through"

57. Page 12.

Following: line 23

Insert: "(2) [Section 6] is intended to be codified as an integral part of Title 2, chapter 15, part 18, and the provisions of Title 2, chapter 15, part 18, apply to [section 6]."

58. Page 12, line 25 through page 13, line 3.

Strike: section 17 in its entirety

Insert: "NEW SECTION. Section 18. Coordination instruction. (1) If House Bill No. 252 is not passed and approved, [this act] is void on July 1, 1999.

(2) If House Bill No. 252 is passed and approved but does not contain an appropriation to the Montana jobs and income commission, [this act] is void on July 1, 1999."

Renumber: subsequent section

59. Page 13, lines 5 through 7

Following: "Effective"

Strike: "dates"

Insert: "date"

Following: "."

Strike: remainder of line 5 through "1999." on line 7

Insert: "[This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/19/1999

SB 21, introduced by Shea

SB 54, introduced by Halligan

SB 39, introduced by Taylor, 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:

1/19/1999

Yeas - 0

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Nays - 49

FIRST READING AND COMMITMENT OF BILLS

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

- HB 336**, introduced by K. Gillan, R. Johnson, B. Krenzler, L. Soft, referred to Local Government.
HB 337, introduced by E. Bergsagel, J. Lynch, W. McNutt, J. Quilici, F. Thomas, B. Wilson, referred to Business and Labor.
HB 338, introduced by G. Masolo, C. Ahner, R. Dale, G. Golie, T. Hagener, S. Rose, referred to Local Government.
HB 339, introduced by P. Sliter, A. Ellis, referred to Judiciary.
HB 340, introduced by S. Anderson, referred to Natural Resources.
HB 341, introduced by R. Lenhart, P. Clark, G. Devlin, S. Doherty, D. Ewer, M. Halligan, R. Holden, S. Kitzenberg, R. Peck, B. Raney, B. Rehbein, J. Tropila, referred to Fish, Wildlife and Parks.
HB 342, introduced by B. Raney (by request of the Joint Select Committee on CI-75), referred to State Administration.

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

- SB 21**, introduced by D. Shea (by request of the Department of Labor and Industry), referred to Business and Labor.
SB 54, introduced by M. Halligan (by request of the Department of Corrections), referred to Judiciary.

**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 Hibbard in the chair.

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

HB 52 - Representative Shockley moved **HB 52**, second reading copy, be amended as follows :

1. Title, line 7.

Following: "GUARD"

Insert: ", THE ACTIVE DUTY MILITARY FORCES, AND THE FEDERAL RESERVES"

2. Page 1, line 17.

Following: "to"

Insert: ":

(a)"

3. Page 1, line 20.

Following: "constitution"

Insert: ";

(b) a member of the active duty military forces of the United States; or

(c) a member of the federal reserves who serves for more than 180 continuous days on duty pursuant to Title 10 of the United States Code.

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(3) As used in this section, "federal reserves" means the United States air force reserve, army reserve, navy reserve, marine corps reserve, or coast guard reserve"

Amendment passed 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, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Fuchs, Krenzler.

Total 2

Excused: Curtiss.

Total 1

Absent or not voting: Stovall, Taylor.

Total 2

HB 52 - Representative Menahan moved **HB 52** do pass as amended. Motion carried 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, 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, Menahan, Molnar, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 3 - Representative Zook moved **HB 3** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Cobb, Davies, Galvin-Halcro, Jackson, Jore, Kasten, Lawson, Mangan, Orr, Peck, Raney, Rehbein, Somerville, Tuss, Vick, Wagner, Wyatt.

Total 23

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: Menahan.

Total 1

HB 41 - Representative Hagener moved **HB 41** do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Soft, Squires, Stovall, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Somerville, Story, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt.

Total 44

Voted Absentee: Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 207 - Representative Johnson moved **HB 207** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson,

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Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 83

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Haines, Jackson, Jore, McGee, Molnar, Mood, Orr, Somerville, Wagner.

Total 16

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: Eggers.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hibbard 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, 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, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: R. Clark, Jore, Molnar, Rehbein.

Total 4

Excused: Curtiss.

Total 1

Absent or not voting: None.

Total 0

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 170 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, 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, Rehbein, 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 98

Noes: Grinde, Jore.
Total 2

Voted Absentee: Curtiss, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 190 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. 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, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: E. Bergsagel.
Total 1

Voted Absentee: Curtiss, Aye.

Excused: None.
Total 0

Absent or not voting: P. Clark.
Total 1

HB 215 passed as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau,

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Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Zook.
Total 72

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, Cobb, Fuchs, Grinde, Hanson, Hedges, Jore, Kasten, Molnar, Mood, Noennig, Orr, Rehbein, Smith, Story, Tash, Taylor, Vick, Wagner, Younkin, Mr. Speaker.
Total 27

Voted Absentee: Curtiss, Aye.

Excused: None.
Total 0

Absent or not voting: Williams.
Total 1

MOTIONS

Representative Tropila requested his vote on the amendment for **HB 180** on Legislative Day 14 be changed from yes to no. Motion carried.

Representative Zook moved to refer **HB 69** to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Thursday, January 21, 1999. Motion carried.

House adjourned at 1:40 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House