

**HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY**

Helena, Montana  
January 26, 1999

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

House welcomed and heard remarks from Edward Feng, Deputy Director-General and Frank R. H. Liu, Director General, of the Taipei Economic & Cultural Office in Seattle, Washington.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 1/26/1999  
Correctly printed: **HB 35, HB 113, HB 137, HB 209, HB 257, HB 319, SB 62.**  
Correctly engrossed: **HB 66, HB 156, HB 167, HB 194, HB 197, HB 198, HB 229.**

**EDUCATION** (Masolo, Chairman): 1/26/1999  
**HB 304**, do pass. Report adopted.  
**HJR 1**, be adopted. Report adopted.  
**SB 56**, be amended as follows:

1. Page 2, line 3.  
**Strike:** "December 31"  
**Insert:** "January 1"

And, as amended, be concurred in. Report adopted.

**SB 79**, be amended as follows:

1. Page 2, line 13.  
**Strike:** "6(1)"  
**Insert:** "7(1)"

2. Page 2, line 18.  
**Strike:** "3"  
**Insert:** "1"

And, as amended, be concurred in. Report adopted.

**SB 80**, be concurred in. Report adopted.

**JUDICIARY** (Clark, Chairman): 1/25/1999  
**HB 24**, do pass. Report adopted.  
**HB 209**, introduced bill, be amended as follows:

1. Title, page 1, line 5.  
**Following:** "SECTIONS"  
**Insert:** "41-3-609,"

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2. Page 1, line 12.

**Following:** line 11

**Insert:** "Section 1. Section 41-3-609, MCA, is amended to read:

**"41-3-609. Criteria for termination.** (1) The court may order a termination of the parent-child legal relationship upon a finding that any of the following circumstances exist:

(a) the parents have relinquished the child pursuant to 42-2-402 and 42-2-412;  
(b) the child has been abandoned by the parents as set forth in 41-3-102;  
(c) the identity of the parent is unknown and has been unknown for a period of 90 days and reasonable efforts to identify and locate the parent have failed;

(d) the parent is convicted of a felony in which sexual intercourse occurred or is a minor adjudicated a delinquent youth because of an act that, if committed by an adult, would be a felony in which sexual intercourse occurred and, as a result of the sexual intercourse, the child is born; or

(e) the child is an adjudicated youth in need of care and both of the following exist:

(i) an appropriate treatment plan that has been approved by the court has not been complied with by the parents or has not been successful; and

(ii) the conduct or condition of the parents rendering them unfit is unlikely to change within a reasonable time; or

(f) the parent has substantially failed to successfully complete or meet the goals of a treatment plan approved by the court and the child has been in an out-of-home placement for a cumulative total period of 1 year or longer.

(2) In determining whether the conduct or condition of the parents is unlikely to change within a reasonable time, the court shall enter a finding that continuation of the parent-child legal relationship will likely result in continued abuse or neglect or that the conduct or the condition of the parents renders the parents unfit, unable, or unwilling to give the child adequate parental care. In making the determinations, the court shall consider but is not limited to the following:

(a) emotional illness, mental illness, or mental deficiency of the parent of a duration or nature as to render the parent unlikely to care for the ongoing physical, mental, and emotional needs of the child within a reasonable time;

(b) a history of violent behavior by the parent;

(c) a single incident of life-threatening or gravely disabling injury to or disfigurement of a child caused by the parent;

(d) excessive use of intoxicating liquor or of a narcotic or dangerous drug that affects the parent's ability to care and provide for the child;

(e) present judicially ordered long-term confinement of the parent;

(f) the injury or death of a child because of proven abuse or neglect; and

(g) any reasonable efforts by protective service agencies that have been unable to rehabilitate the parent.

(3) In considering any of the factors in subsection (2) in terminating the parent-child relationship, the court shall give primary consideration to the physical, mental, and emotional conditions and needs of the child. The court shall review and, if necessary, order an evaluation of the child's or the parent's physical, mental, and emotional conditions.

(4) A treatment plan is not required under this part upon a finding by the court following hearing if:

(a) two medical doctors or clinical psychologists submit testimony that the parent cannot assume the role of parent;

(b) the parent is incarcerated for more than 1 year and a treatment plan is not practical considering the incarceration; or

(c) the death or serious bodily injury, as defined in 45-2-101(64), of a child caused by abuse or neglect by the parent has occurred."

**Renumber:** subsequent sections

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3. Page 5, line 28.

**Following:** line 27

**Insert:** "(43) "Nolo contendere" means a plea in which the defendant does not contest the charge or charges against the defendant and neither admits nor denies the charge or charges."

**Renumber:** subsequent subsections

4. Page 10, line 18.

**Strike:** "(74)(a)"

**Insert:** "(75)(a)"

5. Page 18, line 20.

**Following:** "or"

**Insert:** ", with the consent of the court,"

And, as amended, do pass. Report adopted.

**HB 233**, do pass. Report adopted.

**HB 257**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Strike:** "subsection"

**Insert:** "subsections (1)(c) and"

2. Page 1, line 19.

**Following:** "charge"

**Insert:** "under Title 45, 61-8-401, or 61-8-406"

3. Page 2, line 25.

**Following:** "53-9-109"

**Insert:** ", except as provided in subsection (7)(b)"

And, as amended, do pass. Report adopted.

**HB 357**, do pass. Report adopted.

**STATE ADMINISTRATION** (Brainard, Chairman):

1/25/1999

**HB 141**, do pass. Report adopted.

**TAXATION** (Hibbard, Chairman):

1/25/1999

**HB 137**, introduced bill, be amended as follows:

1. Page 1, line 24.

**Following:** "~~chapter 23.~~"

**Insert:** "The procedure applies to assessments of centrally assessed property taxed pursuant to chapter 23."

2. Page 4, line 1.

**Strike:** "right"

**Insert:** "opportunity"

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3. Page 4, line 12.

**Following:** "decision."

**Insert:** "and"

4. Page 4, line 14.

**Strike:** " and "

**Insert:** "."

5. Page 4, line 15 through line 18.

**Strike:** subsection (f) in its entirety

**Following:** line 18

**Insert:** "(5) The department shall:

(a) develop guidelines that must be followed by employees of the department in dispute resolution matters;

(b) develop policies concerning the authority of an employee to resolve disputes; and

(c) establish procedures for reviewing and approving disputes resolved by an employee or the dispute resolution office."

**Renumber:** subsequent subsection

6. Page 7, line 6.

**Following:** "~~(1)~~"

**Insert:** "(1)"

7. Page 7, line 9.

**Strike:** "(1)"

**Insert:** "(a)"

**Renumber:** subsequent subsections

8. Page 7.

**Following:** line 19

**Insert:** "(2) Appeals from the decision of the department pursuant to 15-1-211 may be taken to the state tax appeal board."

And, as amended, do pass. Report adopted.

**SB 28**, be concurred in. Report adopted.

**SB 52**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence:

1/25/1999

**SB 48**, introduced by Swysgood

**SB 49**, introduced by Swysgood

**SB 71**, introduced by Nelson

**SB 171**, introduced by Mesaros

**FIRST READING AND COMMITMENT OF BILLS**

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

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**HB 385**, introduced by E. Swanson, referred to Taxation.  
**HB 386**, introduced by R. Jore, referred to Taxation.  
**HB 387**, introduced by R. Jore, referred to Fish, Wildlife and Parks.  
**HB 388**, introduced by B. Davies, R. Dale, B. Rehbein, B. Tash, referred to Judiciary.  
**HB 389**, introduced by B. Davies, R. Dale, B. Rehbein, B. Tash, referred to Fish, Wildlife and Parks.  
**HB 390**, introduced by B. Lawson, referred to Business and Labor.  
**HB 391**, introduced by D. Hedges, referred to Agriculture.  
**HB 392**, introduced by B. Tash, V. Cocchiarella, B. McCarthy, K. Ohs, referred to Natural Resources.

**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 Golie in the chair.

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

**HB 186** - Representative Peck moved **HB 186** do pass. 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, 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 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Mood.

Total 1

**HB 283** - Representative Younkin moved **HB 283** do pass. 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, 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,

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Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: McCann.  
Total 1

**HB 254** - Representative Somerville moved **HB 254** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, 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, Mr. Speaker.  
Total 92

Noes: P. Bergsagel, Brainard, Davies, Jore.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Bitney, Gallus, Hedges, Zook.  
Total 4

**HB 264** - Representative Wyatt moved **HB 264** do pass. Motion carried as follows:

Ayes: 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, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 93

Noes: Adams, Curtiss, Jore, McGee, Orr, Vick, Wagner.  
Total 7

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**HB 277** - Representative Pavlovich moved **HB 277** do pass. Motion carried as follows:

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

Total 89

Noes: Adams, P. Bergsagel, Brainard, Davies, Jore, McGee, Orr, Rehbein, Somerville, Story, Taylor.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 284** - Representative Story moved **HB 284** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, 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, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, P. Bergsagel, Brainard, Brown, Curtiss, Davies, Jore, Lawson, McGee, Molnar, Orr, Vick, Wagner.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 125** - Representative Johnson moved **HB 125** do pass. Motion carried as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. 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, 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 88

Noes: Adams, E. Bergsagel, P. Bergsagel, P. Clark, Fuchs, Jore, Orr, Rehbein, Vick, Wagner.

Total 10

Excused: None.

Total 0

Absent or not voting: McKenney, Molnar.

Total 2

**HB 136** - Representative Williams moved **HB 136** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, 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, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Jore, McGee, Orr, Rehbein, Vick.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 192** - Representative Andersen moved **HB 192** do pass. Motion carried as follows:

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

Total 65



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Noes: Barnhart, Beck, P. Bergsagel, Buzzas, Cobb, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Juneau, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 53** - Representative Clark moved **HB 53** do pass. Motion carried as follows:

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

Total 80

Noes: Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gutsche, Harper, Harrington, Hurdle, McCulloch, Peck, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 19

Excused: None.

Total 0

Absent or not voting: Menahan.

Total 1

**HB 47** - Representative Anderson moved **HB 47** do pass. 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, McKenney, Menahan, Molnar, 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, Mr. Speaker.

Total 98

Noes: McGee.

Total 1

Excused: None.

Total 0

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Absent or not voting: Shockley.  
Total 1

**HB 214** - Representative McGee moved **HB 214** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 91

Noes: P. Bergsagel, Buzzas, Eggers, Grinde, Lenhart, Masolo, Rose, Taylor.  
Total 8

Excused: None.  
Total 0

Absent or not voting: Bookout-Reinicke.  
Total 1

**HB 216** - Representative Pavlovich moved **HB 216** do pass. Motion carried as follows:

Ayes: S. Anderson, Beck, Bitney, Brainard, E. Clark, Dell, Facey, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Sliter, Smith, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook.  
Total 54

Noes: Adams, Ahner, J. Andersen, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Fisher, Gillan, Guggenheim, Gutsche, Hagener, Harper, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Lawson, McGee, Mood, Noennig, Orr, Raney, Schmidt, Simon, Soft, Somerville, Thomas, Trexler, Vick, Walters, Mr. Speaker.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 220** - Representative Rose moved **HB 220** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, P. Clark, Curtiss, Davies, Grinde, Jackson, Jore, Kasten, McGee, Molnar, Ohs, Orr, Shockley, Sliter, Story, Vick, Wagner, Wyatt.

Total 23

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 Golie moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, 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 87

Noes: Barnett, Barnhart, P. Bergsagel, Erickson, Galvin-Halcro, Harrington, Juneau, Ryan, Tuss, Wyatt.

Total 10

Excused: None.

Total 0

Absent or not voting: Holden, Kasten, Kitzenberg.

Total 3

### 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 116** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, 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,

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Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 84

Noes: Adams, P. Bergsagel, Brainard, Brown, E. Clark, Jore, Molnar, Mood, Orr, Rehbein, Somerville, Story, Vick, Wagner, Witt.  
Total 15

Excused: None.  
Total 0

Absent or not voting: Taylor.  
Total 1

**HB 175** 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, 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, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Taylor.  
Total 1

**HB 200** passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. 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, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 89

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Noes: Adams, S. Anderson, P. Bergsagel, Davies, Jore, McGee, Orr, Rehbein, Story, Vick, Wagner.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 212** 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, 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, McKenney, Menahan, 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, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 95

Noes: R. Clark, McGee, Molnar, Orr.  
Total 4

Excused: None.  
Total 0

Absent or not voting: McCulloch.  
Total 1

**HB 250** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, 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, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.  
Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Jore, Kasten, Orr, Ryan, Vick, Wagner, Zook.  
Total 11

Excused: None.  
Total 0

Absent or not voting: Jackson.

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Total 1

**HB 167** 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, 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

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 66** 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, 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, 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, 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: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Grinde, Shockley.

Total 2

**HB 198** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus,

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Galvin-Halcro, Golie, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, Beck, P. Clark, Dell, Erickson, Ewer, Facey, Gillan, Guggenheim, Gutsche, Harper, Hurdle, Lawson, Lindeen, Mangan, Matthews, McCulloch, Schmidt, Smith, Squires, Swanson, Williams.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 194** 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, 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

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 197** 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, 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.

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Speaker.  
Total 100

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 229** passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, 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, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 97

Noes: Squires.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Bookout-Reinicke, Williams.  
Total 2

**MOTIONS**

Representative Thomas requested on **HB 216**, 2nd reading today, his vote be changed from yes to no. Motion carried.

Representative Davies requested on **HB 167**, 3rd reading today, his vote be shown as yes. Motion carried.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Wednesday, January 27, 1999. Motion carried.

House adjourned at 3:10 p.m.



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MARILYN MILLER  
Chief Clerk of the House

JOHN MERCER  
Speaker of the House