

**HOUSE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
January 28, 1999

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/28/1999
Correctly printed: **HB 10, HB 12, HB 17, HB 106, HB 110, HB 121, HB 124, HB 204, HB 217, HB 218, HB 219, HB 221, HB 230, HB 232, HB 245, HB 302, HB 307, HB 308, HB 321, HB 322, HJR 8, SB 21, SB 55.**
Correctly engrossed: **HB 79, HB 98, HB 155, SB 56, SB 79, SB 80.**

AGRICULTURE (Barnett, Chairman): 1/27/1999
HB 217, do pass. Report adopted.
HB 218, do pass. Report adopted.
HB 219, do pass. Report adopted.
HB 221, introduced bill, be amended as follows:

1. Page 2, line 6 through line 10.

Strike: "A" on line 6 through "If" on line 10

Insert: "A person who objects to weed control measures bordering a state or county highway right-of-way and who does not enter a voluntary agreement pursuant to subsections (1) and (2) and if"

And, as amended, do pass. Report adopted.

HB 232, introduced bill, be amended as follows:

1. Page 6, line 4.

Following: "state"

Insert: "[commercial feed, except a customer formula feed, or]"

2. Page 6, line 9.

Following: "feeds"

Insert: "[commercial feeds and]"

3. Page 6, line 11.

Following: "registration"

Insert: "[of commercial feed or]"

4. Page 6, line 19.

Following: "feed"

Insert: "[any commercial feed or]"

5. Page 15, line 27.

Following: "80-9-201(6)(a)"

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Insert: ", (6)(b), (7), and (8)"

And, as amended, do pass. Report adopted.

HB 307, do pass. Report adopted.

APPROPRIATIONS (Zook, Chairman):
HB 10, introduced bill, be amended as follows:

1/27/1999

1. Page 3.

Following: line 22

Strike: section 6 in its entirety

Renumber: subsequent sections

2. Page 4, line 24.

Strike: "\$5,000"

Insert: "\$15,000"

3. Page 4, following line 26.

Insert: "NEW SECTION. Section 8. Transportation to nutrition sites -- appropriation. There is appropriated \$11,000 from the stripper well payments contained in the federal special revenue fund to the department of public health and human services for grants to the area agencies on aging to provide transportation for seniors to nutrition sites. The area agencies on aging shall apply to the department of public health and human services for these funds."

4. Page 4, line 28 through page 5, line 7.

Strike: section 9 in its entirety

Renumber: subsequent sections

5. Page 5, line 12.

Insert: "NEW SECTION. Section 10. Montana public and private organizations becoming consortium partners -- appropriation. There is appropriated \$50,000 from the stripper well payments contained in the federal special revenue fund to the department of environmental quality to provide a grant to the national center for appropriate technology to initiate the formation of a Montana advanced transportation technologies consortium focusing on vehicles traditionally powered by two-stroke engines. The national center for appropriate technology will integrate its transportation technology development services with other western regional consortium and national programs, as recommended by the western governors' association and the western interstate energy board, to provide specialized business assistance, to attract development financing and production capital, and to promote regional industrial growth for the clean transportation technologies fostered by the consortium."

6. Page 5, line 17.

Following: "pursuant to 10 CFR 420."

Insert: "There is reappropriated up to \$40,000 of stripper well payments contained in the federal special revenue fund at the department of administration to help establish a refueling infrastructure that will support the use of ethanol-fueled vehicles."

7. Page 5, line 20.

Following: "4"

Strike: ", 5" through "and"

Insert: "through"

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8. Page 5, line 21.

Following: "4"

Strike: ", 5" through "and"

Insert: "through"

9. Page 5, line 25 through line 27.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

10. Page 5, line 29.

Following: "funds"

Insert: "for the state energy program"

Following: "unspent funds available"

Insert: "at the department of environmental quality. Total expenditures of stripper well funds to help establish a refueling infrastructure that will support the use of ethanol-fueled vehicles may not exceed \$70,000 for the 1999 and 2001 biennia"

And, as amended, do pass. Report adopted.

HB 12, introduced bill, be amended as follows:

1. Page 4.

Strike: line 1 through line 5

Insert: "Special Education Building, Billings
Department of Administration
Justice Building
Department of Transportation
Signal Light Retrofit Project
University of Montana
Grizzly Pool"

And, as amended, do pass. Report adopted.

HB 110, do pass. Report adopted.

SB 34, be concurred in. Report adopted.

SB 55, be amended as follows:

1. Page 6, line 18.

Strike: "1999"

Insert: "2001"

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

EDUCATION (Masolo, Chairman):

1/28/1999

HB 301, introduced bill, be amended as follows:

1. Title, line 6.

Following: "CONDITIONS;"

Insert: "LIMITING THE LENGTH OF TIME AN UNLICENSED SPEECH-LANGUAGE PATHOLOGIST OR

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AUDIOLOGIST MAY BE EMPLOYED;"

2. Title, line 7.

Following: the first "DATE"

Strike: "AND"

Insert: ", "

Following: second "DATE"

Insert: ", AND A TERMINATION DATE"

3. Page 1, line 25 through line 27.

Strike: "must" on line 25 through "meeting" on line 27

Insert: "is enrolled in an accredited graduate program in communication sciences and disorders and taking the minimum number of hours of coursework required each academic year necessary in order to meet"

4. Page 2, line 4.

Following: "weeks"

Insert: "and has also advertised the vacancy during that same period with the state job service, the Montana university system placement service, the American speech-language-hearing association employment placement service, the Montana speech-language-hearing association employment placement service, and a daily Montana newspaper"

5. Page 2.

Following: line 8

Insert: "(d) A school district or special education cooperative hiring an unlicensed person under subsection (2)(b) shall readvertise the vacancy upon the completion of each school fiscal year and may continue to employ the unlicensed person only upon compliance with the requirements of subsection (2) each year. The maximum length of time that an unlicensed individual may be employed in the state under subsection (2)(b) is 3 years from the date of initial hire."

6. Page 4.

Following: line 2

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates June 30, 2003."

And, as amended, do pass. Report adopted.

SJR 2, be concurred in. Report adopted.

HUMAN SERVICES (Soft, Chairman):

1/28/1999

HB 111, introduced bill, be amended as follows:

1. Title, lines 11 and 12.

Strike: "PROVIDING CIVIL" on line 11 through "RESULTS;" on line 12

2. Page 2, line 7.

Strike: "8"

Insert: "7"

3. Page 3, line 27.

Strike: "8"

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Insert: "7"

4. Page 4, line 2.

Strike: "8"

Insert: "7"

5. Page 4, line 3.

Following: "means"

Insert: ", unless otherwise provided by Public Law 104-191,"

6. Page 4, line 4.

Following: "routine procedures"

Insert: ", including family history,"

7. Page 6, line 5 through page 7, line 5.

Strike: section 8 in its entirety

Renumber: subsequent sections

8. Page 7, lines 7 and 9.

Strike: "8"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 126, introduced bill, be amended as follows:

1. Page 6, line 30.

Strike: the second "or"

Insert: "and"

2. Page 7, line 1.

Strike: "is"

Insert: "and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are"

3. Page 7, line 3.

Strike: "if"

Insert: "unless"

4. Page 7, lines 4 and 5.

Strike: "acts" on line 4 through "circumstances" on line 5

Insert: "or the person providing cardiopulmonary resuscitation, as applicable, acts with willful or with wanton disregard for the care of the person upon whom the AED is or may be used"

5. Page 7, line 7.

Strike: "willful or wanton misconduct or"

6. Page 7, lines 12 and 13.

Strike: subsection (b) in its entirety

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Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):
HB 106, introduced bill, be amended as follows:

1/27/1999

1. Page 6, line 22.

Strike: "and that"

Insert: "to ensure that the state statute explicitly "

2. Page 6, line 27.

Strike: "and that"

Insert: "to ensure that the state statute explicitly "

And, as amended, do pass. Report adopted.

HB 308, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):
HB 17, introduced bill, be amended as follows:

1/27/1999

1. Page 1, line 27.

Strike: "a significantly greater amount of waste than"

Insert: "at least 20% more waste than the average for"

And, as amended, do pass. Report adopted.

HB 204, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "INSTITUTIONS"

Insert: ", WITH THE INTEREST TO BE USED TO HELP DEFRAY THE COURT'S ADMINISTRATION COSTS"

2. Title, page 1, line 6.

Strike: "DOUBLING TO \$10,000"

Insert: "INCREASING"

3. Title, page 1, line 7.

Following: "COURTS"

Insert: "TO \$7,000; PROVIDING THAT IF A REQUIRED UNDERTAKING IS NOT FILED WITHIN 10 DAYS AFTER A NOTICE OF APPEAL IS FILED, THE COURT FROM WHICH THE APPEAL WAS TAKEN SHALL DISMISS THE NOTICE OF APPEAL;"

4. Page 1, line 13.

Following: "institution."

Insert: "The interest earned on the interest-bearing account must be used to help defray the administrative costs of the court."

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5. Page 1, line 14.

Following: line 13

Insert: "NEW SECTION. Section 2. Dismissal for failure to timely file required undertaking. If an undertaking required by this part is not filed within 10 days after the filing of a notice of appeal, the court from which the appeal was taken shall dismiss the notice of appeal."

Renumber: subsequent sections

6. Page 2, lines 10, 11, 14, 19, 20, 24, and 26.

Strike: "\$10,000"

Insert: "\$7,000"

7. Page 3, line 2.

Following: "instruction."

Insert: "(1)"

8. Page 3, line 5.

Insert: "(2) [Section 2] is intended to be codified as an integral part of Title 25, chapter 33, part 2, and the provisions of Title 25 apply to [section 2]."

And, as amended, do pass. Report adopted.

HB 230, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

1/28/1999

HB 124, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "annually"

Insert: "by the state"

And, as amended, do pass. Report adopted.

HJR 3, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/27/1999

SB 68, introduced by Mahlum

SB 128, introduced by Christiaens

SB 155, introduced by Berry

FIRST READING AND COMMITMENT OF BILLS

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

HB 407, introduced by C. Younkin, T. Beck, J. Cobb, L. Grinde, L. Grosfield, M. McCann, K. Mesaros, K. Ohs,

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C. Swysgood, referred to Judiciary.

HB 408, introduced by C. Younkin, referred to Local Government.

HB 409, introduced by S. Vick, referred to State Administration.

HB 410, introduced by S. Vick, referred to State Administration.

HB 411, introduced by D. Ewer, C. Ahner, S. Bartlett, D. Grimes, H. Harper, C. Hibbard, B. Lawson, G. Masolo, referred to Local Government.

HB 412, introduced by C. Juneau, G. Beck, R. Buzzas, B. Eggers, K. Gillan, M. Guggenheim, H. Harper, J. Hurdle, S. Kitzenberg, B. Krenzler, M. McCann, J. Mercer, G. Roush, F. Smith, C. Williams, referred to Natural Resources.

HB 413, introduced by G. Beck, T. Beck, P. Sliter, referred to Appropriations.

HB 414, introduced by R. Johnson, referred to Appropriations.

HB 415, introduced by V. Jackson, referred to Human Services.

HB 416, introduced by P. Clark, referred to Business and Labor.

HB 417, introduced by P. Clark, referred to Fish, Wildlife and Parks.

HB 418, introduced by B. Pavlovich, D. Hargrove, J. Quilici, D. Shea, referred to Taxation.

HB 419, introduced by L. McCulloch, A. Bishop, K. Gillan, B. Lawson, R. Somerville, S. Stang, referred to Education.

HB 420, introduced by R. Dale, T. Beck, J. Bohlinger, B. Crippen, B. DePratu, G. Devlin, L. Grinde, J. Hertel, D. Mahlum, J. Mercer, K. Ohs, P. Sliter, R. Somerville, S. Stang, B. Tash, referred to Taxation.

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

HJR 12, introduced by C. Juneau, G. Beck, R. Buzzas, B. Eggers, K. Gillan, H. Harper, J. Hurdle, S. Kitzenberg, B. Krenzler, M. McCann, L. McCulloch, G. Roush, F. Smith, C. Williams, referred to State Administration.

MOTIONS

Representative Pavlovich requested that the House reconsider its 3rd reading vote on **HB 216** and place it on 3rd reading on Monday, Legislative Day 25, 2/1/1999. Motion carried as follows:

Ayes: Ahner, Beck, Bookout-Reinicke, E. Clark, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Hagener, Hanson, Harrington, Hedges, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Pavlovich, Quilici, Rehbein, Ryan, Shockley, Simon, Sliter, Smith, Squires, Story, Stovall, Tash, Taylor, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Davies, Facey, Guggenheim, Gutsche, Haines, Harper, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Krenzler, Lawson, McGee, Mood, Noennig, Ohs, Orr, Peck, Raney, Schmidt, Soft, Somerville, Swanson, Thomas, Trexler, Vick, Walters.

Total 45

Excused: None.

Total 0

Absent or not voting: Ewer, McCann, Rose.

Total 3

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**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 Mangan in the chair.

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

HB 69 - Representative McCann moved **HB 69** 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, 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 319 - Representative Dale moved **HB 319** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, 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, 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, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 95

Noes: E. Bergsagel, Jore, McGee, Orr.

Total 4

Excused: None.

Total 0

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Absent or not voting: Mr. Speaker.

Total 1

HB 203 - Representative Shockley moved **HB 203** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, 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 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Gallus, Harper, Jore, McCann, Molnar, Orr, Raney, Rehbein, Vick.

Total 12

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

HB 77 - Representative Hurdle moved **HB 77** do pass. Motion failed as follows:

Ayes: Barnhart, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Krenzler, Lenhart, Mangan, McCulloch, Molnar, Peck, Raney, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 29

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

Total 71

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 209 - Representative Shockley moved **HB 209** 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, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener,

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Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Brainard, Gallus, Jore, Lawson, Orr, Rehbein, Soft.

Total 8

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 233 - Representative Schmidt moved **HB 233** 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, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, 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 85

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Davies, Holden, Jore, McCann, Menahan, Orr, Rehbein, Story, Vick, Wagner.

Total 14

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 257 - Representative Younkin moved **HB 257** do pass. Motion carried 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, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, 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, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

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Noes: Adams, Brainard, Buzzas, Galvin-Halcro, Jore, McGee, Molnar, Orr, Rehbein, Shockley, Story, Wagner.
Total 12

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 357 - Representative Cobb moved **HB 357** 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, 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 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

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

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Ewer, Molnar, Rehbein, Vick.
Total 4

Excused: None.
Total 0

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Absent or not voting: Barnhart, Juneau.
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 following manner:

SB 56, as amended by the House, concurred in as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, 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, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, 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, Ahner, E. Bergsagel, P. Bergsagel, R. Clark, Cobb, Davies, Jore, McGee, Orr, Peck, Rehbein, Vick, Wagner.
Total 14

Excused: None.
Total 0

Absent or not voting: Molnar, Sliter.
Total 2

SB 79, as amended by the House, concurred in as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, 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, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, 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 85

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, R. Clark, Cobb, Davies, Jore, McCann, McGee, Orr, Peck, Rehbein, Vick, Wagner.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 80 concurred in as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Ahner, E. Bergsagel, Davies, Jore, Orr, Rehbein, Vick.

Total 8

Excused: None.

Total 0

Absent or not voting: Fuchs, Holden.

Total 2

HB 98 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harrington, Hedges, Hibbard, Hurdle, Jackson, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Squires, Story, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Adams, S. Anderson, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Holden, Johnson, Jore, Juneau, Kasten, Lawson, McCann, Molnar, Pavlovich, Peck, Quilici, Raney, Smith, Somerville, Stovall, Swanson, Vick, Witt.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 155 passed as follows:

Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, 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, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck,

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Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: Adams, J. Andersen, P. Bergsagel, Brown, Davies, Jackson, Jore, Kasten, Mangan, Orr, Rehbein, Sliter, Somerville, Story, Stovall, Vick, Wagner.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Shockley requested on **HB 357** his vote be shown as yes. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 108**: Representatives Buzzas, Clark, Dell, Erickson, Facey, Gillan, Golie, Guggenheim, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Story, Taylor, Tuss, Williams, and Senators Bartlett, Beck, Bohlinger, Christiaens, Cocchiarella, DePratu, Doherty, Eck, Ellingson, Franklin, Glaser, Harp, Jergeson, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Tester, Waterman, and Wilson.

The following cosponsors were added to **HB 406**: Representatives Dell, Galvin-Halcro, Gillan, Tuss, and Wyatt.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, January 29, 1999. Motion carried.

House adjourned at 2:05 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House