

**HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
January 29, 1999

House Chambers  
State Capitol

House convened at 1:00 p.m. Speaker Pro Tempore Mood in the Chair. Invocation by Representative Gillan. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Ewer, Molnar, Peck, and Tuss. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-first and twenty-second legislative days, find the same to be correct.

Rehbein, Chairman

Mr. Speaker introduced the pages for the week:

Chris Bradford, Helena  
Lisa Gallagher, Anaconda  
Nick Janeway, Polson  
Jamie Marks, Clancy  
Roy Mears, Darby  
Kristen Mischel, Helena  
Matt White, Bozeman  
Terra Stansberry, Missoula  
Kristine Stanfield, Polson  
Nathan Rediske, Helena

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 1/29/1999  
Correctly printed: **HB 23, HB 111, HB 126, HB 132, HB 150, HB 153, HB 247, HB 248, HB 281, HB 282, HB 301, HB 320, HB 339, HB 360, SB 34, SB 53, SB 84, SB 106, SJR 2.**  
Correctly engrossed: **HB 69, HB 203, HB 209, HB 233, HB 257, HB 319, HB 357.**

**BUSINESS AND LABOR** (Simon, Chairman): 1/28/1999  
**HB 150**, introduced bill, be amended as follows:

1. Title, line 8.

**Following:** "CONTRACT;"

**Insert:** "REQUIRING THE SECRETARY OF STATE TO PROVIDE NOTICE TO CONTRACTING PARTIES OF THE REQUIREMENT; ALLOWING 90 DAYS TO BRING VOIDABLE CONTRACTS INTO COMPLIANCE;"

2. Page 2, line 11.

**Following:** "contract."

**Insert:** "The secretary of state shall provide written notice to the contracting parties regarding the requirement that a foreign corporation obtain a certificate of authority. The foreign corporation must be allowed 90 days from the date of the notice to obtain the certificate of authority, and an existing contract may not be voided prior to the expiration of the 90 days."

3. Page 3, line 2.

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**Following:** "failed to"

**Strike:** "receive"

**Insert:** "obtain"

4. Page 3, line 3.

**Strike:** "void"

**Insert:** "voidable by the state, the contracting state agency, or the contracting political subdivision"

5. Page 4, line 3.

**Following:** "contract."

**Insert:** "The secretary of state shall provide written notice to the contracting parties regarding the requirement that a foreign corporation obtain a certificate of authority. The foreign corporation must be allowed 90 days from the date of the notice to obtain the certificate of authority, and an existing contract may not be voided prior to the expiration of the 90 days."

6. Page 4, line 25.

**Following:** "failed to"

**Strike:** "receive"

**Insert:** "obtain"

7. Page 4, line 26.

**Strike:** "void"

**Insert:** "voidable by the state, the contracting state agency, or the contracting political subdivision"

8. Page 5, line 4.

**Insert:** "NEW SECTION. Section 7. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to contracts entered into on or subsequent to January 1, 1999."

And, as amended, do pass. Report adopted.

**HB 153**, introduced bill, be amended as follows:

1. Page 7, line 19.

**Following:** "filed"

**Strike:** "as a land sale"

2. Page 8, line 8.

**Following:** "within"

**Strike:** "30"

**Insert:** "3 business"

And, as amended, do pass. Report adopted.

**HB 247**, do pass. Report adopted.

**HB 281**, do pass. Report adopted.

**HB 282**, do pass. Report adopted.

**HB 320**, do pass. Report adopted.

**JUDICIARY** (Clark, Chairman):

**HB 339**, do pass. Report adopted.

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**HB 360**, introduced bill, be amended as follows:

1. Title, line 4.  
**Strike:** "SHERIFF'S"
2. Title, line 5.  
**Strike:** "SHERIFF'S"

And, as amended, do pass. Report adopted.

**TAXATION** (Hibbard, Chairman):

1/28/1999

**HB 132**, do pass. Report adopted.

**HB 248**, introduced bill, be amended as follows:

1. Page 2, lines 4 through 7.  
**Strike:** subsection (3) in its entirety  
**Insert:** "(3) The nonexclusive use of a public municipal or district water supply system or sanitary sewer system by an industrial or commercial user does not constitute a beneficial use of the water supply system or sanitary sewer system by the industrial or commercial user within the meaning of this section, whether the use is by written contract or pursuant to municipal or district ordinances and regulations."

And, as amended, do pass. Report adopted.

**SB 53**, be concurred in. Report adopted.  
**SB 84**, be concurred in. Report adopted.  
**SB 88**, be amended as follows:

1. Page 2, line 4.  
**Following:** "session."  
**Insert:** "If a county tax appeal board refuses or fails to hear a taxpayer's application that was timely filed at least 30 days prior to the commencement of its next regularly scheduled session, then the taxpayer's application is considered to be granted on the day following the board's final meeting for that year.  
(b)"
2. Page 2, line 6.  
**Following:** "year."  
**Insert:** "If a taxpayer's application that was timely filed less than 30 days prior to the commencement of the next regularly scheduled session of the county tax appeal board is held over to a session in the following year and if the county tax appeal board refuses or fails to hear the application during the following session, then the application is considered to be granted on the day following the board's final meeting for that year."
3. Page 5, line 18.  
**Strike:** "(3)(A)"  
**Insert:** "(3)"
4. Page 5, line 21.  
**Following:** ". "  
**Insert:** "If during its current session, a county tax appeal board refuses or fails to hear a taxpayer's application that was timely filed by December 1, then the taxpayer's application is considered to be granted on the day

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following the board's final meeting for that year.  
(b)"

5. Page 5, line 23.

**Following:** "year."

**Insert:** "If a taxpayer's application that was timely filed after December 1 of the current session of the county tax appeal board is held over to a session in the following year and if the county tax appeal board refuses or fails to hear the application during the following session, then the application is considered to be granted on the day following the board's final meeting for that year."

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

**SB 106**, be concurred in. Report adopted.

**TRANSPORTATION** (Anderson, Chairman):  
**HB 23**, introduced bill, be amended as follows:

1/28/1999

1. Page 2, line 4.

**Following:** "~~vehicle~~"

**Insert:** "and is priced competitively with the motor vehicle fuel otherwise used by the vehicle"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence:

1/28/1999

**SB 115**, introduced by Stang  
**SB 165**, introduced by Lynch  
**SB 222**, introduced by Doherty  
**SB 230**, introduced by Grimes  
**SB 231**, introduced by Jabs  
**SB 259**, introduced by Grimes

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 421**, introduced by C. Younkin, referred to Business and Labor.  
**HB 422**, introduced by C. Younkin, referred to Appropriations.  
**HB 423**, introduced by C. Trexler, referred to Natural Resources.  
**HB 424**, introduced by J. Mangan, T. Dell, K. Galvin-Halcro, T. Hagener, referred to Judiciary.  
**HB 425**, introduced by J. Mangan, T. Dell, K. Galvin-Halcro, T. Hagener, referred to Judiciary.  
**HB 426**, introduced by R. Jore, referred to Judiciary.  
**HB 427**, introduced by R. Jore, referred to Fish, Wildlife and Parks.  
**HB 428**, introduced by B. Thomas, S. Bookout-Reinicke, E. Clark, R. Dale, M. Guggenheim, D. Haines, V. Jackson, referred to Business and Labor.  
**HB 429**, introduced by J. Shockley, referred to Natural Resources.  
**HB 430**, introduced by C. Squires, V. Cocchiarella, referred to Business and Labor.

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**HB 431**, introduced by J. Mercer, referred to Local Government.

**HB 432**, introduced by C. Tuss, K. Gillan, L. Grosfield, D. Mood, K. Ohs, B. Simon, E. Swanson, M. Taylor, referred to State Administration.

**HB 433**, introduced by C. Tuss, M. Brainard, R. Brown, J. Ellingson, E. Franklin, K. Galvin-Halcro, K. Gillan, B. Ryan, M. Sprague, J. Stovall, D. Wyatt, referred to Appropriations.

**HB 434**, introduced by R. Erickson, referred to Taxation.

**MOTIONS**

Representative Grinde moved that **HB 321** and **HB 322** be passed for the day. Motion carried.

**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 Vick in the chair.

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

**HB 245** - Representative Simon moved **HB 245** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Grinde, Guggenheim, Gutsche, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 71

Noes: Adams, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Davies, Dell, Gallus, Galvin-Halcro, Gillan, Golie, Hagener, Harper, Hurdle, Jore, Kasten, Lenhart, Mangan, McCann, McGee, Orr, Rehbein, Smith, Story, Vick, Wyatt.

Total 26

Voted Absentee: Ewer, Fuchs, Molnar, Peck, Tuss, Ayes.

Excused: None.

Total 0

Absent or not voting: Cobb, Harrington, Wagner.

Total 3

**HB 121** - Representative Krenzler moved **HB 121** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, 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, 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, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 87

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

Voted Absentee: Ewer, Fuchs, Molnar, Peck, Tuss, Wagner, Ayes.

Excused: None.  
Total 0

Absent or not voting: Cobb, Walters.  
Total 2

**HB 302** - Representative Krenzler moved **HB 302** do pass. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dell, Eggers, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin.  
Total 63

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Dale, Davies, Erickson, Fisher, Grinde, Haines, Hanson, Harper, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, Orr, Raney, Rehbein, Rose, Sliter, Somerville, Story, Stovall, Taylor, Vick, Wagner, Walters, Zook, Mr. Speaker.  
Total 36

Voted Absentee: Ewer, Fuchs, Molnar, Peck, Tuss, Ayes; Wagner, No.

Excused: None.  
Total 0

Absent or not voting: Cobb.  
Total 1

**HB 149** - Representative Davies moved **HB 149** do pass.

**HB 149** - Representative Davies moved **HB 149**, second reading copy, be amended as follows :

1. Title, line 11.

**Following:** "EXCEPTIONS;"

**Insert:** "GRANTING THE STATE IMMUNITY FROM LIABILITY;"

2. Page 1, line 15.

**Following:** "firearms"

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**Insert: " -- state's immunity from liability"**

3. Page 2, line 3.

**Insert:** "(3) Except for gross negligence or intentional misconduct of the state, the state is not liable in tort to a person or entity for damages caused by the use of a firearm on property owned, possessed, or controlled by the state by a state employee or agent not required to carry a firearm as a part of regular duties in the scope and course of employment or agent status with the state or by a guest or invitee as a condition of being a guest or invitee of the state."

4. Page 2, line 6.

**Insert:** "NEW SECTION. **Section 3. Two-thirds vote required.** Because [section 1(3)] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage. If the required vote of two-thirds of the members of each house is not obtained, [section 1(3)] is void."

**Renumber:** subsequent section

Amendment passed as follows:

Ayes: Adams, Ahner, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lenhart, McGee, McKenney, Molnar, Mood, Ohs, Orr, Ryan, Shockley, Simon, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.  
Total 49

Noes: J. Andersen, S. Anderson, Barnhart, Bookout-Reinicke, Brown, Buzzas, Dell, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Holden, Hurdle, Juneau, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Noennig, Pavlovich, Quilici, Raney, Rehbein, Rose, Schmidt, Smith, Soft, Somerville, Squires, Tropila, Williams, Wyatt, Younkin.  
Total 44

Voted Absentee: Molnar, Wagner, Ayes.

Excused: Ewer, Peck, Tuss.  
Total 3

Absent or not voting: Cobb, Fuchs, Menahan, Swanson.  
Total 4

Representative Simon excused at this time.

Motion that **HB 149**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Kasten, Kitzenberg, Lenhart, Matthews, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Mr. Speaker.  
Total 56

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Noes: Barnhart, Beck, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Holden, Hurdle, Johnson, Juneau, Krenzler, Lawson, Lindeen, Mangan, Masolo, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt, Zook.

Total 44

Voted Absentee: Fuchs, Molnar, Simon, Wagner, Ayes; Ewer, Peck, Tuss, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Peck present at this time.

**HB 120** - Representative Brown moved **HB 120** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Curtiss, Davies, Dell, Ewer, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Kitzenberg, Krenzler, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Noes: Adams, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, P. Clark, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Jackson, Jore, Juneau, Kasten, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Raney, Rehbein, Ryan, Schmidt, Squires, Story, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 45

Voted Absentee: Ewer, Fuchs, Molnar, Simon, Wagner, Ayes; Tuss, No.

Excused: None.

Total 0

Absent or not voting: Cobb, Dale.

Total 2

**HB 113** - Representative Younkin moved **HB 113** 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, 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, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.



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Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, R. Clark, Jore, Rehbein.

Total 6

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Wagner, Ayes.

Excused: None.

Total 0

Absent or not voting: Cobb, McCann, Simon.

Total 3

**HB 35** - Representative Ahner moved **HB 35** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Ewer, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Masolo, McCann, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Sliter, Soft, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: Barnhart, Beck, P. Bergsagel, Brainard, Buzzas, P. Clark, Eggers, Erickson, Facey, Galvin-Halcro, Gutsche, Harper, Harrington, Hurdle, Juneau, Kasten, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Mood, Raney, Schmidt, Smith, Somerville, Squires, Swanson, Tuss, Vick, Williams, Wyatt.

Total 34

Voted Absentee: Ewer, Fuchs, Molnar, Wagner, Ayes; Tuss, No.

Excused: None.

Total 0

Absent or not voting: Cobb, Simon.

Total 2

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

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

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Noes: Barnhart, Gillan, Raney, Rehbein.  
Total 4

Excused: Ewer, Molnar, Tuss.  
Total 3

Absent or not voting: Beck, Bookout-Reinicke, P. Clark, Cobb, Fuchs, Haines, Jackson, Simon, Wagner.  
Total 9

**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 69** passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, 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, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 96

Noes: Brainard.  
Total 1

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.  
Total 0

Absent or not voting: Cobb, Simon, Wagner.  
Total 3

**HB 319** 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, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 93

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Noes: Jore, Orr, Vick.  
Total 3

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.  
Total 0

Absent or not voting: Cobb, Mood, Simon, Wagner.  
Total 4

**HB 203** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.  
Total 89

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Molnar, Orr, Rehbein.  
Total 7

Voted Absentee: Ewer, Fuchs, Tuss, Ayes; Molnar, No.

Excused: None.  
Total 0

Absent or not voting: Cobb, Simon, Wagner, Younkin.  
Total 4

**HB 209** passed 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, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 90

Noes: Adams, Brainard, Jore, Orr, Rehbein, Soft, Vick.  
Total 7

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Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.  
Total 0

Absent or not voting: Cobb, Simon, Wagner.  
Total 3

**HB 233** passed 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, Dale, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 83

Noes: Adams, Brainard, Curtiss, Davies, Holden, Jore, McCann, Orr, Rehbein, Story, Trexler.  
Total 11

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.  
Total 0

Absent or not voting: Cobb, Facey, Kasten, Menahan, Simon, Wagner.  
Total 6

**HB 257** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, 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, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 86

Noes: Adams, Brainard, Galvin-Halcro, Jore, Molnar, Orr, Rehbein, Shockley, Story.  
Total 9

Voted Absentee: Ewer, Fuchs, Tuss, Ayes; Molnar, No.

Excused: None.  
Total 0

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Absent or not voting: E. Bergsagel, Cobb, Eggers, Simon, Wagner.  
Total 5

**HB 357** 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, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, 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, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 96

Noes: None.  
Total 0

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.  
Total 0

Absent or not voting: Cobb, Gallus, Simon, Wagner.  
Total 4

**MOTIONS**

Representative Galvin-Halcro requested that **HB 108** be taken from the Committee on Taxation, be printed and placed on 2nd reading on Saturday, Legislative Day 24, 1/30/1999. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Williams, Wyatt.  
Total 37

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.  
Total 56

Excused: Ewer, Molnar, Tuss.  
Total 3

Absent or not voting: Cobb, Fuchs, Simon, Wagner.  
Total 4

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**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 10:00 a.m., Saturday, January 30, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker Pro Tempore of the House