

**HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
February 3, 1999

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Linda Holden, wife of Representative John Holden. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Expressions of Silence, a group from the Montana School for the Deaf and Blind in Great Falls, Montana, gave a sign language performance to two songs. Recognized were Superintendent John Kinna and Director Jestead Gunderson.

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

Rehbein, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 2/3/1999  
Correctly printed: **HB 96, HB 103, HB 346, HB 361, HB 371, HB 392.**  
Correctly engrossed: **HB 10, HB 12, HB 23, HB 141, HB 152, HB 211, HB 217, HB 218, HB 219, HB 248, HB 337, HB 390.**

**HUMAN SERVICES** (Soft, Chairman): 2/3/1999  
**SB 30**, be concurred in. Report adopted.  
**SB 76**, be concurred in. Report adopted.  
**SB 93**, be concurred in. Report adopted.

**JUDICIARY** (Clark, Chairman): 2/2/1999  
**HB 361**, introduced bill, be amended as follows:

1. Page 1, line 27

**Following:** "~~Whenever~~"

**Insert:** "(1)"

2. Page 2, line 4 through line 5.

**Strike:** subsection (2) in its entirety

**Insert:** "(2) If the owner of the property against which a lien is filed pays the underlying claim before an action is filed on that claim or to foreclose the lien, the owner of the property against which the lien was filed shall pay the lienholder's costs and attorney fees incurred for filing and recording the lien before the lien may be released."

And, as amended, do pass. Report adopted.

**HB 371**, introduced bill, be amended as follows:

1. Title, line 8.

**Strike:** first "AND"

2. Title, line 9.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

**Following:** "MCA"

**Insert:** "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 1, line 15.

**Strike:** "\$1,000"

**Insert:** "\$500"

4. Page 1, line 24.

**Strike:** "\$1,500"

**Insert:** "\$1,000"

5. Page 2, line 2.

**Strike:** "\$1,500"

**Insert:** "\$1,000"

6. Page 2, line 11.

**Insert:** "NEW SECTION. Section 3. Effective date. [This act] is effective January 1, 2000."

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Ahner, Chairman):

2/3/1999

**HB 296**, do pass. Report adopted.

**STATE/FEDERAL RELATIONS** (Curtiss, Chairman):

2/3/1999

**HB 89**, introduced bill, be amended as follows:

1. Page 1, line 16.

**Strike:** "department"

**Insert:** "governor"

2. Page 1, line 23.

**Strike:** "department"

**Insert:** "governor"

3. Page 1, line 24.

**Strike:** "department"

**Insert:** "governor"

And, as amended, do pass. Report adopted.

**HJR 7**, be adopted. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence:

2/2/1999

**SB 27**, introduced by Hertel

**SB 89**, introduced by Stang

**SB 90**, introduced by Stang

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

**SB 113**, introduced by Mahlum

House amendments to Senate bill concurred in:

2/2/1999

**SB 56**, introduced by McCarthy

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 473**, introduced by R. Menahan, S. Gallus, referred to Transportation.

**HB 474**, introduced by C. Hibbard, C. Ahner, G. Beck, T. Beck, C. Christiaens, R. Clark, B. Crippen, D. Ewer, K. Galvin-Halcro, D. Grimes, M. Halligan, J. Harp, H. Harper, D. Harrington, S. Kitzenberg, J. Lynch, L. McCulloch, R. Menahan, K. Ohs, D. Shea, C. Squires, B. Wilson, referred to State Administration.

**HB 475**, introduced by D. Wyatt (by request of the Joint Select Committee on CI-75), referred to Appropriations.

**HB 476**, introduced by R. Johnson, M. Halligan, C. Hibbard, referred to Local Government.

**HB 477**, introduced by G. Golie, G. Beck, J. Mangan, C. Tuss, referred to Transportation.

**HB 478**, introduced by G. Golie, G. Beck, A. Bishop, P. Clark, E. Franklin, S. Gallus, H. Harper, K. Miller, J. Wells, referred to Fish, Wildlife and Parks.

**HB 479**, introduced by R. Johnson, referred to Taxation.

**HB 480**, introduced by R. Johnson, referred to Appropriations.

**HB 481**, introduced by J. Stovall, T. Beck, R. Bitney, M. Cole, L. Grinde, M. Hanson, J. Harp, D. Hedges, B. Kasten, D. McGee, J. Mercer, D. Mood, K. Ohs, P. Sliter, M. Sprague, B. Tash, L. Taylor, D. Wagner, T. Zook, referred to Judiciary.

**HB 482**, introduced by J. Mangan, C. Christiaens, T. Dell, E. Franklin, K. Gillan, B. Krenzler, B. Molnar, T. Schmidt, referred to Judiciary.

**HB 483**, introduced by G. Beck, S. Gallus, G. Golie, D. Harrington, J. Hurdle, R. Lenhart, J. Lynch, J. Mangan, G. Matthews, B. McCarthy, R. Menahan, J. Quilici, referred to Appropriations.

**HB 484**, introduced by S. Anderson, A. Curtiss, A. Ellis, D. Mood, B. Tash, referred to Natural Resources.

**HB 485**, introduced by S. Anderson, A. Curtiss, A. Ellis, G. Masolo, D. Mood, R. Somerville, B. Tash, referred to Natural Resources.

**HB 486**, introduced by S. Anderson, S. Gallus, L. Grosfield, J. Harp, D. Harrington, B. McCarthy, K. Ohs, M. Waterman, C. Younkin, referred to Natural Resources.

**HB 487**, introduced by S. Anderson, S. Gallus, L. Grosfield, J. Harp, D. Harrington, B. McCarthy, K. Ohs, M. Waterman, C. Younkin, referred to Natural Resources.

**HB 488**, introduced by D. Wagner, D. Adams, R. Bitney, J. Cobb, A. Curtiss, J. Harp, H. Harper, V. Jackson, R. Jore, B. Kasten, S. Kitzenberg, B. Lawson, B. Molnar, S. Orr, B. Raney, P. Sliter, R. Somerville, A. Walters, referred to Fish, Wildlife and Parks.

**HB 489**, introduced by D. Wagner, P. Bergsagel, A. Curtiss, S. Kitzenberg, G. Masolo, B. Rehbein, S. Rose, P. Sliter, J. Stovall, A. Walters, referred to Business and Labor.

**HB 490**, introduced by S. Anderson, T. Beck, E. Bergsagel, J. Bohlinger, V. Cocchiarella, B. Crippen, E. Franklin, D. Fuchs, B. Glaser, D. Grimes, L. Grosfield, M. Halligan, D. Hargrove, J. Harp, J. Hertel, B. Keenan, D. McGee, A. Mohl, K. Ohs, D. Shea, F. Thomas, C. Younkin, referred to State Administration.

**HB 491**, introduced by P. Clark, referred to Agriculture.

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

**HJR 14**, introduced by D. Adams, J. Andersen, M. Brainard, G. Golie, B. Kasten, F. Smith, A. Walters, referred to Education.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

**HJR 15**, introduced by J. Stovall, D. Adams, S. Anderson, T. Beck, R. Bitney, R. Brown, V. Cocchiarella, M. Cole, B. Crippen, D. Ewer, K. Gillan, L. Grinde, M. Hanson, J. Harp, D. Hedges, B. Kasten, D. McGee, J. Mercer, D. Mood, M. Noennig, K. Ohs, B. Pavlovich, B. Raney, P. Sliter, M. Sprague, B. Tash, L. Taylor, C. Tuss, B. Wilson, C. Younkin, T. Zook, referred to Business and Labor.

**HJR 16**, introduced by D. Ewer, C. Ahner, G. Beck, A. Bishop, S. Bookout-Reinicke, R. Buzzas, P. Clark, T. Dell, D. Eck, J. Ellingson, R. Erickson, T. Facey, S. Gallus, K. Gillan, G. Golie, M. Guggenheim, G. Gutsche, H. Harper, D. Harrington, C. Juneau, S. Kitzenberg, B. Lawson, R. Lenhart, M. Lindeen, J. Mangan, L. McCulloch, B. Molnar, B. Raney, G. Roush, B. Ryan, B. Simon, F. Smith, C. Squires, S. Stang, J. Stovall, C. Williams, referred to Business and Labor.

**HJR 17**, introduced by A. Curtiss, referred to State/Federal Relations.

**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 Sliter in the chair.

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

**HB 132** - Representative Kasten moved **HB 132** do pass.

**HB 132** - Representative Rehbein moved **HB 132**, second reading copy, be amended as follows :

1. Title, page 1, line 10.

**Strike:** "CLARIFYING"

**Insert:** "REVISING"

2. Page 1, line 29.

**Strike:** "2%"

**Insert:** "1.5%"

3. Page 1, line 30.

**Strike:** "24%"

**Insert:** "18%"

4. Page 3, lines 19 and 25.

**Strike:** "2%"

**Insert:** "1.5%"

5. Page 3, lines 20 and 26.

**Strike:** "24%"

**Insert:** "18%"

6. Page 4, line 27.

**Strike:** "2%"

**Insert:** "1.5%"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

7. Page 4, line 28.

**Strike:** "24%"

**Insert:** "18%"

8. Page 5, line 1.

**Strike:** "2%"

**Insert:** "1.5%"

9. Page 5, line 2.

**Strike:** "24%"

**Insert:** "18%"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Guggenheim, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Ryan, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Swanson, Tuss, Williams, Wyatt.

Total 43

Excused: None.

Total 0

Absent or not voting: Simon.

Total 1

Motion that **HB 132**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Rose, Simon, Sliter, Smith, Soft, Story, Stovall, Tash, Taylor, Thomas, Tropila, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Adams, Beck, Brainard, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Juneau, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Squires, Swanson, Trexler, Tuss, Wagner, Williams, Wyatt.

Total 43

Excused: None.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Total 0

Absent or not voting: Somerville.

Total 1

**HB 168** - Representative Kasten moved **HB 168** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Erickson, Fisher, Fuchs, Gillan, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Rehbein, Rose, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: Beck, Brainard, Buzzas, P. Clark, Davies, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Swanson, Trexler, Tropila, Tuss, Williams, Wyatt.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 7** - Representative Barnett moved **SB 7** be concurred in. 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, 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 99

Noes: Adams.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 204** - Representative Shockley moved **HB 204** do pass.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

**HB 204** - Representative Andersen moved **HB 204**, second reading copy, be amended as follows :

1. Title, line 4.

**Strike:** "REQUIRING"

**Insert:** "AUTHORIZING"

2. Page 1, line 16.

**Strike:** "must"

**Insert:** "may"

Amendment passed as follows:

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

Total 94

Noes: Golie, Johnson, Peck, Trexler.

Total 4

Excused: None.

Total 0

Absent or not voting: P. Clark, Vick.

Total 2

Motion that **HB 204**, as amended, do pass carried 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, Ewer, Facey, Fisher, Fuchs, Gallus, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Barnhart, Galvin-Halcro, Gillan, Golie, Grinde, Hagener, Hurdle, Juneau, Krenzler, Lawson, Masolo, Matthews, Peck, Squires, Vick, Wyatt.

Total 16

Excused: None.

Total 0

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Absent or not voting: None.  
Total 0

**HB 301** - Representative McCann moved **HB 301** do pass.

**HB 301** - Representative McCann moved **HB 301**, second reading copy, be amended as follows :

1. Page 1, line 30 through line 2 on page 2.

**Following:** "meeting" on page 1

**Strike:** the remainder of line 30 through "MEET" on page 2, line 2

**Insert:** "must have completed at least a 4-year program in speech language pathology or communication disorder and who pledges in writing to make demonstrable progress toward meeting"

2. Page 2, lines 11 and 12.

**Following:** "SERVICE." on line 11

**Strike:** the remainder of line 11 through the first "SERVICE." on line 12

**Insert:** "and"

**Following:** the second "SERVICE" on line 12

**Strike:** " "

**Insert:** " ."

3. Page 2, line 13.

**Strike:** "AND A DAILY MONTANA NEWSPAPER."

Amendment passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: J. Andersen, Barnhart, E. Bergsagel, P. Bergsagel, Buzzas, E. Clark, Cobb, Dell, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Hedges, Krenzler, Mangan, Matthews, McCulloch, Noennig, Pavlovich, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 27

Excused: None.

Total 0

Absent or not voting: Brown, Ohs, Thomas, Vick.

Total 4

Motion that **HB 301**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Galvin-Halcro, Hagener,



HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Haines, Hanson, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Peck, Raney, 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 69

Noes: J. Andersen, Barnhart, Buzzas, Cobb, Dell, Erickson, Ewer, Facey, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hedges, Hurdle, Juneau, Lindeen, Matthews, McCulloch, Noennig, Pavlovich, Quilici, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 26** - Representative Rose moved **SB 26** be concurred in. 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, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Excused: None.

Total 0

Absent or not voting: McKenney.

Total 1

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

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

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.  
Total 93

Noes: Cobb, Squires, Tuss, Wyatt.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Hedges, Noennig, Schmidt.  
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 10** passed as follows:

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

Noes: Adams, Brainard, Brown, R. Clark, Holden, Hurdle, Johnson, Jore, Orr, Raney, Rehbein, Story.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 12** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dale, 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, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, 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 84

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Noes: Adams, P. Bergsagel, Brainard, Brown, R. Clark, Cobb, Curtiss, Davies, Fuchs, Jore, Orr, Raney, Rehbein, Story, Vick, Wagner.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 23** passed as follows:

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

Total 91

Noes: Barnhart, P. Bergsagel, Grinde, Jore, Mood, Orr, Rehbein, Shockley, Wagner.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 141** 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, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore, Rehbein.

Total 2

Excused: None.

Total 0

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Absent or not voting: Quilici.  
Total 1

**HB 152** failed as follows:

Ayes: S. Anderson, Barnhart, Beck, Buzzas, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Somerville, Squires, Swanson, Trexler, Tropila, Williams, Younkin.  
Total 49

Noes: Adams, Ahner, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Jackson, Johnson, Jore, Kasten, Krenzler, Mangan, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Shockley, Sliter, Soft, Story, Stovall, Tash, Taylor, Thomas, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Zook, Mr. Speaker.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 211** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, 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, 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 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Fuchs, Jore, Kasten, McGee, Orr, Rehbein, Vick.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 217** passed as follows:

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

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 82

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Grinde, Jore, Masolo, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Vick, Wagner.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 218** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 80

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Grinde, Jore, Masolo, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Vick, Wagner, Walters.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 219** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 80

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Grinde, Jore, Masolo, McGee, Molnar,

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Mood, Ohs, Orr, Rehbein, Shockley, Sliter, Story, Vick, Wagner.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 337** passed 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, 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, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 89

Noes: Adams, Fuchs, Hurdle, Johnson, Jore, McCann, Orr, Peck, Rehbein, Rose, Wagner.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 390** 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, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 99

Noes: Witt.  
Total 1

Excused: None.  
Total 0

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Absent or not voting: None.  
Total 0

**HB 17** passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, 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, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Mr. Speaker.  
Total 85

Noes: E. Bergsagel, Brown, Erickson, Galvin-Halcro, Hurdle, Masolo, Molnar, Mood, Noennig, Ryan, Taylor, Wyatt, Zook.  
Total 13

Excused: None.  
Total 0

Absent or not voting: Shockley, Witt.  
Total 2

**HB 150** passed as follows:

Ayes: Ahner, J. Andersen, 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, 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, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 91

Noes: Adams, S. Anderson, Curtiss, Hedges, Jore, Orr, Rehbein, Story, Wagner.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Representative McGee requested that on **HB 23**, 3rd reading today, his vote be changed from no to yes. There being no objections, so ordered.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 3, 1999

Representative P. Clark requested that on **SB 26**, 2nd reading today, his vote be shown as yes. There being no objections, so ordered.

Representative Williams requested that on **HB 390**, 3rd reading today, her vote be shown as yes. There being no objections, so ordered.

Representative Facey requested that **HB 133** be taken from the Committee on Appropriations and be placed on 2nd reading today.

Representative Grinde called for the previous question.

Motion failed as follows:

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

Total 43

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

Total 56

Excused: None.

Total 0

Absent or not voting: Simon.

Total 1

Representative Dale requested that on **HB 150**, 3rd reading today, his vote be shown as yes. There being no objections, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Thursday, February 4, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

JOHN MERCER  
Speaker of the House