

**HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
February 9, 1999

House Chambers  
State Capitol

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

Roll Call. All members present except Representatives Dale, Gutsche, Lenhart, and Ohs. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 2/9/1999  
Correctly printed: **HB 6, HB 8, HB 74, HB 419, HB 437.**  
Correctly engrossed: **HB 56, HB 118, HB 119, HB 228, HB 236, HB 405, SB 6, SB 76.**

**EDUCATION** (Masolo, Chairman): 2/9/1999  
**HJR 13**, be adopted. Report adopted.  
**HJR 14**, be adopted. Report adopted.

**HUMAN SERVICES** (Soft, Chairman): 2/9/1999  
**HB 269**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "AND"

**Following:** "MCA"

**Insert:** "; AND PROVIDING A TERMINATION DATE"

2. Page 2, line 2.

**Following:** "includes"

**Insert:** "but is not limited to:

- (a) a member of the clergy;
- (b) a professional social worker;
- (c) an attorney;
- (d) a licensed counselor;
- (e) a mediator;
- (f) a teacher; or
- (g)"

3. Page 2, line 14.

**Following:** "**Disclosure**"

**Insert:** "-- exception"

4. Page 2, line 18.

**Following:** "family."

**Insert:** "However, a document, report, record, or other information may not be disclosed if it is determined to be detrimental to the child or harmful to another individual who is the subject of the document, report, record, or information."

5. Page 3, line 12.

**Strike:** "awards temporary care and custody of a child to"

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**Insert:** "places a child with"

6. Page 3, line 14.

**Following:** "manner"

**Insert:** "through the appropriate department licensing process"

7. Page 5.

**Following:** line 8

**Insert:** "(8) A family advocate may not limit, delay, or in any way interfere with the department's ability to conduct or complete an investigation as required by law."

8. Page 8.

**Following:** line 17

**Insert:** "NEW SECTION. Section 14. Termination. [This act] terminates October 1, 2004."

And, as amended, do pass. Report adopted.

**HB 275**, introduced bill, be amended as follows:

2/8/1999

1. Title, page 1, line 7.

**Strike:** "AND 10-YEAR PLANNING"

2. Title, page 1, lines 8 and 9.

**Strike:** "REQUIRING" on line 8 through "AGING;" on line 9

3. Title, page 1, line 10.

**Strike:** "PROVIDING AN APPROPRIATION;"

**Insert:** "AND"

4. Title, page 1, line 11.

**Strike:** "; AND PROVIDING AN EFFECTIVE DATE"

**Insert:** "; AND PROVIDING A TERMINATION DATE"

5. Page 1, line 29.

**Following:** "must"

**Insert:** "be provided to the legislature and the governor and must"

6. Page 2, line 6.

**Strike:** "and 10-year community"

7. Page 2, line 16.

**Strike:** "and in developing 10-year plans to meet those needs and goals"

8. Page 2, line 24 through page 3, line 8.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

9. Page 4, line 19 through page 4, line 27.

**Strike:** sections 6 through 8 in their entirety

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10. Page 4.

**Following:** line 27

**Insert:** "**Insert:** NEW SECTION. **Section 5. Termination.** [This act] terminates June 30, 2001 "

And, as amended, do pass. Report adopted.

**HB 399**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "EXAMINERS;"

**Insert:** "PROVIDING FOR EXCEPTIONS GRANTED BY THE BOARD;"

2. Page 2, line 17.

**Strike:** "or"

3. Page 2, line 18.

**Following:** "physician"

**Insert:** "or other health care provider"

4. Page 2, line 19.

**Following:** "representative"

**Insert:** "; or

(e) a communication from a physician located outside Montana to a patient in Montana in collaboration with a physician licensed to practice medicine in Montana"

And, as amended, do pass. Report adopted.

**JUDICIARY** (Clark, Chairman):

2/8/1999

**HB 374**, introduced bill, be amended as follows:

1. Title, line 4 through line 6.

**Strike:** "TRANSFERRING" on line 4 through "ATTORNEY;" on line 6

2. Title, line 7.

**Following:** "DECISION"

**Insert:** "THAT A YOUTH SHOULD BE TRIED AS AN ADULT"

3. Title, line 7 through line 9.

**Strike:** "ALLOWING" on line 7 through "MISDEMEANOR;" on line 9

4. Title, line 10.

**Strike:** "18"

**Insert:** "16"

5. Page 1, line 17.

Page 2, lines 11, 14 (two places), and 28 (two places)

**Strike:** "youth"

**Insert:** "district"

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6. Page 2, line 18.

**Following:** "that"

**Insert:** ", considering the seriousness of the offense,"

7. Page 4, line 16.

**Insert:** "(7) A consent decree with petition under this section may not be used to dispose of a youth's alleged second or subsequent offense if that offense would be a felony if committed by an adult or third or subsequent offense if that offense would be a misdemeanor if committed by an adult."

8. Page 4, line 26.

**Strike:** "18"

**Insert:** "16"

9. Page 5, line 24.

**Strike:** "18"

**Insert:** "16"

10. Title, line 6.

**Strike:** "YOUTH"

**Insert:** "DISTRICT"

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (Tash, Chairman):  
**HB 340**, do pass. Report adopted.

2/9/1999

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence:

2/8/1999

**SB 82**, introduced by Doherty  
**SB 117**, introduced by Thomas  
**SB 118**, introduced by Thomas  
**SB 216**, introduced by Swysgood  
**SB 269**, introduced by Toews  
**SB 295**, introduced by Doherty  
**SB 317**, introduced by Beck

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 564**, introduced by R. Somerville, P. Clark, B. DePratu, J. Harp, H. Harper, B. Keenan, B. Lawson, J. Mercer, A. Mohl, S. Orr, B. Raney, D. Wagner, A. Walters, J. Wells, referred to Fish, Wildlife and Parks.  
**HB 565**, introduced by R. Brown, referred to Transportation.  
**HB 566**, introduced by M. Brainard, S. Bookout-Reinicke, R. Clark, A. Curtiss, B. Davies, D. Fuchs, D. Haines, D. Hedges, R. Jore, D. McGee, J. McKenney, K. Miller, B. Molnar, J. Shockley, J. Wells, referred to Judiciary.  
**HB 567**, introduced by M. Noennig, L. Grosfield (by request of the Joint Select Committee on CI-75), referred to Taxation.

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**HB 568**, introduced by M. McCann, referred to Appropriations.

**HB 569**, introduced by R. Erickson, D. Ewer, T. Facey, G. Gutsche, M. Halligan, H. Harper, C. Hibbard, L. McCulloch, R. Somerville, C. Squires, referred to Taxation.

**HB 570**, introduced by B. Lawson, referred to State Administration.

**HB 571**, introduced by M. McCann, G. Jergeson, referred to Agriculture.

**HB 572**, introduced by C. Squires, J. Ellingson, T. Facey, L. McCulloch, C. Williams, referred to Business and Labor.

**HB 573**, introduced by S. Bookout-Reinicke, referred to Natural Resources.

**HB 574**, introduced by S. Bookout-Reinicke, referred to Natural Resources.

**HB 575**, introduced by T. Dell, M. Brainard, referred to Local Government.

**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 Lindeen in the chair.

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

**HJR 15** - Representative Stovall moved **HJR 15** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, 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, 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 96

Noes: Jore, Orr.  
Total 2

Voted Absentee: Gutsche, Lenhart, Ohs, Ayes.

Excused: Dale.  
Total 1

Absent or not voting: Bitney.  
Total 1

**HB 430** - Representative Squires moved **HB 430** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart,

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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, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: P. Bergsagel, R. Clark, Jore, McGee, Orr, Rehbein.

Total 6

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart, Bitney.

Total 2

**HB 334** - Representative Quilici moved **HB 334** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, 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 97

Noes: McGee, Orr.

Total 2

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

**SB 11** - Representative Grinde moved **SB 11** 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, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson,

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Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore, Orr.

Total 2

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 77** - Representative Simon moved **SB 77** be concurred in. Motion carried 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, Grinde, Hanson, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 59

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

Total 40

Voted Absentee: Dale, Lenhart, Ohs, Ayes; Gutsche, No.

Excused: None.

Total 0

Absent or not voting: Fuchs.

Total 1

**SB 32** - Representative Gillan moved **SB 32** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, 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, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Thomas, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

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Noes: Adams, Beck, P. Bergsagel, Harrington, Jore, McKenney, Menahan, Molnar, Orr, Shockley, Stovall, Taylor, Trexler, Wagner, Walters.

Total 15

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 2** - Representative Rehbein moved **SB 2** be concurred in.

**SB 2** - Representative Rehbein moved consideration of **SB 2** be passed for the day. Motion carried.

**SB 21** - Representative Gallus moved **SB 21** 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, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, 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 95

Noes: Jore, Rehbein, Vick.

Total 3

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Harper, Raney.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lindeen 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, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Erickson, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Hanson, Harrington, Jackson, Jore, Lawson, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Orr, Peck, Quilici, Rose, Ryan, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Mr. Speaker.



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Total 61

Noes: Ewer, Fuchs, Rehbein, Sliter.  
Total 4

Excused: Dale, Gutsche, Lenhart, Ohs.  
Total 4

Absent or not voting: P. Bergsagel, Bitney, Curtiss, Dell, Eggers, Fisher, Gillan, Grinde, Hagener, Haines, Harper, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lindeen, Masolo, Molnar, Pavlovich, Raney, Schmidt, Thomas, Trexler, Tuss, Witt, Zook.  
Total 31

**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 56** passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 118** passed as follows:

Ayes: 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, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood,

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Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, Hurdle, Jore, McGee, Molnar, Orr.

Total 6

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart.

Total 1

**HB 119** 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, 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, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Galvin-Halcro, Jore, Wyatt.

Total 3

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Rehbein, Tuss.

Total 2

**HB 142** passed as follows:

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

Total 64

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

Total 35

Voted Absentee: Dale, Ohs, Ayes; Gutsche, Lenhart, Noes.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

**HB 228** passed as follows:

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

Total 100

Noes: None.

Total 0

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 310** passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Peck, Raney, Rehbein, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Zook, Mr. Speaker.

Total 55

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kasten, Krenzler, Mangan, Matthews, McCulloch, Menahan, Ohs, Orr, Pavlovich, Quilici, Rose, Ryan, Schmidt, Simon, Smith,

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Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.  
Total 44

Voted Absentee: Dale, Lenhart, Ayes; Gutsche, Ohs, Noes.

Excused: None.  
Total 0

Absent or not voting: Wagner.  
Total 1

**HB 405** passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, 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, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 92

Noes: Beck, Buzzas, Eggers, Ewer, Hagener, Hurdle, Williams.  
Total 7

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.  
Total 0

Absent or not voting: E. Clark.  
Total 1

**SB 6** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, 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, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, 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, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 95

Noes: Adams, P. Bergsagel, Hurdle, Jore, Orr.  
Total 5

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Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 76** concurred in as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brown, Buzzas, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 73

Noes: Adams, Ahner, J. Andersen, P. Bergsagel, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fuchs, Golie, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Smith, Trexler, Vick, Wagner, Witt.  
Total 27

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Representative Harrington moved to reconsider the 2nd reading action taken on **HB 247** on Legislative Day 31, 2/8/1999. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.  
Total 49

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, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.  
Total 51

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Voted Absentee: Gutsche, Lenhart, Ayes; Dale, Ohs, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Gillan moved to reconsider the action taken on **SB 32** on 2nd reading today and return it to the 2nd reading calendar. Motion carried.

Representative Swanson requested to change Representative Gutsche's 3rd reading vote today on **HB 142** from yes to no. There being no objections, so ordered.

**SPECIAL ORDERS OF THE DAY**

The following cosponsor was added to **HB 412**: Representative Stovall.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 12:00 p.m., Wednesday, February 10, 1999. Motion carried.

House adjourned at 2:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

JOHN MERCER  
Speaker of the House