

**HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 15, 1999

House Chambers
State Capitol

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

Roll Call. All members present except Representative Ryan. Quorum present.

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

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/15/1999
Correctly printed: **HB 313, HB 362, HB 404, HB 454, HB 470, HB 480, HB 495, HB 514, HB 553, HB 557, HB 581, HJR 20, HJR 21.**
Correctly engrossed: **HB 34, HB 96, HB 182, HB 183, HB 267, HB 338, HB 353, HB 412, HB 435, HB 455, HB 461, HB 467, HB 474, HB 509, HB 512, HB 522, HB 523, HJR 13, HJR 14, HJR 16.**

EDUCATION (Masolo, Chairman): 2/15/1999
HB 528, introduced bill, be amended as follows:

1. Page 3, line 8.

Strike: "or"

2. Page 3, line 9.

Following: "district"

Insert: "; or (e) a professional education organization or association"

3. Page 3, line 17.

Strike: "or"

4. Page 3, line 20.

Following: "specialists"

Insert: "; or (d) inservice training developed by professional education organizations or associations in cooperation with educators of Indian descent and made available to all certified and classified personnel"

5. Page 3.

Following: line 28

Insert: "NEW SECTION. Section 4. Report to legislature. The superintendent of public instruction shall report to the 57th legislature on the progress of the implementation of [this act] and may make recommendations to enhance its provisions."

Renumber: subsequent sections

6. Page 4, line 3.

Following: "governments"

Insert: ", school districts, and university system"

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Following: "."

Insert: "(1)"

7. Page 4.

Following: line 5

Insert: "(2) The secretary of state shall send a copy of [this act] to the superintendent of public instruction for dissemination to every public school district in Montana.

(3) The secretary of state shall send a copy of [this act] to the commissioner of higher education for dissemination to every unit of the Montana university system."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

2/15/1999

HB 411, do pass. Report adopted.

HB 443, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

2/15/1999

HB 486, introduced bill, be amended as follows:

1. Page 12, line 5.

Strike: "institutional and"

2. Page 13, line 5.

Following: "may"

Insert: ", with department approval,"

3. Page 13, line 26.

Strike: "responsible"

Insert: "liable"

And, as amended, do pass. Report adopted.

HB 487, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/13/1999

SB 199, introduced by Christiaens

SB 239, introduced by Roush

SB 260, introduced by Glaser

SB 292, introduced by Bishop

SB 294, introduced by Cole

SB 321, introduced by Jabs

SB 327, introduced by Devlin

SB 347, introduced by Stang

FIRST READING AND COMMITMENT OF BILLS

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

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

HB 625, introduced by P. Bergsagel, D. Adams, C. Ahner, S. Bookout-Reinicke, R. Brown, R. Clark, A. Curtiss, R. Dale, B. Davies, S. Fisher, D. Fuchs, L. Grinde, D. Hedges, J. Holden, V. Jackson, R. Jore, J. Mercer, D. Mood, S. Orr, B. Rehbein, P. Sliter, R. Somerville, B. Story, B. Thomas, A. Walters, referred to State Administration.

HB 626, introduced by H. Harper, J. Ellingson, referred to Fish, Wildlife and Parks.

HB 627, introduced by J. Hurdle, M. Guggenheim, G. Gutsche, J. Mangan, referred to Appropriations.

HB 628, introduced by D. Haines, C. Ahner, P. Bergsagel, R. Bitney, A. Curtiss, R. Dale, S. Fisher, D. Fuchs, L. Grinde, D. Hedges, B. Kasten, K. Ohs, P. Sliter, B. Thomas, A. Walters, referred to Education.

HB 629, introduced by D. Mood, referred to Fish, Wildlife and Parks.

HB 630, introduced by S. Rose, referred to Taxation.

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

HJR 28, introduced by L. Grinde, T. Beck, C. Christiaens, V. Cocchiarella, B. DePratu, G. Devlin, A. Ellis, R. Erickson, E. Franklin, S. Gallus, B. Glaser, D. Grimes, L. Grosfield, M. Halligan, D. Hargrove, J. Harp, H. Harper, D. Harrington, J. Hertel, C. Hibbard, G. Jergeson, C. Juneau, B. Keenan, S. Kitzenberg, B. Lawson, D. Mahlum, J. Mangan, L. McCulloch, J. McKenney, W. McNutt, R. Menahan, K. Mesaros, A. Mohl, L. Nelson, K. Ohs, B. Simon, P. Sliter, M. Sprague, C. Squires, S. Stang, E. Swanson, L. Taylor, F. Thomas, D. Toews, M. Waterman, C. Younkin, referred to Education.

HJR 29, introduced by B. Barnhart, T. Hagener, referred to Local Government.

The following Senate bill was introduced, read first time, and referred to committee:

SB 260, introduced by B. Glaser, D. Fuchs, L. Grinde, J. Harp, B. Keenan, W. McNutt, K. Miller, S. Rose, M. Sprague, D. Toews, referred to Taxation.

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 34 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, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Adams, S. Anderson, Davies, Jackson, Johnson, Jore, Kasten, Lawson, Noennig, Orr, Shockley, Trexler, Vick, Wagner, Walters, Younkin.

Total 16

Voted Absentee: Ryan, Aye.

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Excused: None.
Total 0

Absent or not voting: Molnar, Tuss.
Total 2

HB 96 passed as follows:

s, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus, Galvin-Halcro, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Bookout-Reinicke, Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Gillan, Golie, Guggenheim, Gutsche, Harper, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Wagner, Williams, Wyatt.
Total 33

Voted Absentee: Ryan, No.

Excused: None.
Total 0

Absent or not voting: Molnar, Simon.
Total 2

HB 182 passed as follows:

Ayes: Adams, 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, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: P. Bergsagel, Jore, Orr, Rehbein.
Total 4

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Total 0

HB 183 passed as follows:

r, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, 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, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Orr, Peck.

Total 6

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: Shockley.

Total 1

HB 267 passed as follows:

Ayes: Adams, Ahner, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hedges, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, McCann, McCulloch, McGee, Menahan, Molnar, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Sliter, Soft, Somerville, Thomas, Tropila, Tuss, Vick, Wagner, Wyatt, Mr. Speaker.

Total 61

Noes: J. Andersen, S. Anderson, Barnett, E. Clark, P. Clark, Curtiss, Ewer, Grinde, Hagener, Hanson, Hibbard, Holden, Jore, Kasten, Lindeen, Masolo, Matthews, McKenney, Mood, Noennig, Ohs, Orr, Peck, Rehbein, Rose, Simon, Smith, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Walters, Williams, Witt, Younkin, Zook.

Total 39

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 338 passed as follows:

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

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, 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 98

Noes: Jore.
Total 1

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Williams.
Total 1

HB 353 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, 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, Noennig, Ohs, Orr, Pavlovich, 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 93

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Peck, Rehbein.
Total 5

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Eggers, Hedges.
Total 2

HB 412 passed 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,

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

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

Total 93

Noes: Adams, P. Bergsagel, Hanson, Jore, Kasten, Orr, Rehbein.

Total 7

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 435 passed as follows:

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

Total 85

Noes: Adams, P. Bergsagel, Brown, Hanson, Holden, Johnson, Jore, Orr, Rehbein, Story, Taylor, Trexler, Vick, Walters.

Total 14

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

HB 455 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, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson,

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Grinde, Jore, Molnar, Orr, Story, Vick, Wagner.
Total 13

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 461 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, Curtiss, Davies, Fisher, Fuchs, Hagener, Holden, Jackson, Johnson, Jore, Kasten, McCann, McGee, Molnar, Mood, Orr, Peck, Rehbein, Rose, Sliter, Smith, Story, Stovall, Taylor, Vick, Wagner, Walters, Witt.
Total 35

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 467 passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, 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, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Noes: J. Andersen, E. Bergsagel, Noennig, Smith.
Total 4

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 474 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, 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, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, Fuchs, Jore, Orr, Rehbein, Vick, Wagner.
Total 9

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 509 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, 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, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 77

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Davies, Fisher, Jore, Kasten, McCann, McGee, Molnar, Orr, Rehbein, Rose, Story, Taylor, Trexler, Vick, Wagner, Walters, Zook.
Total 23

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 512 passed 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, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: Adams, P. Bergsagel, Davies, Hanson, Jore, Kasten, Lawson, Orr, Peck, Rehbein, Sliter, Somerville, Story, Vick, Wagner.
Total 15

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Fisher, Soft.
Total 2

HB 522 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, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Adams, Jore, McGee, Orr, Rehbein, Story.
Total 6

Voted Absentee: Ryan, Aye.

Excused: None.

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Total 0

Absent or not voting: None.

Total 0

HB 523 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, 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 98

Noes: Jore, McGee.

Total 2

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 13 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, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, 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 94

Noes: Jore, Kasten, Menahan, Orr.

Total 4

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Absent or not voting: Erickson, Harrington.
Total 2

HJ 14 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, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Juneau, Orr, Tuss.
Total 3

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Facey, Harrington, Raney.
Total 3

SPECIAL ORDERS OF THE DAY

Mr. Speaker appointed Representatives Grinde and Swanson to escort President Abraham Lincoln (Professor Harry Fritz of Missoula) into the House Chamber. President Lincoln addressed the members with a brief history of his life and times.

Representatives Grinde and Swanson escorted President Lincoln from the House Chamber.

**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 Williams in the chair.

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

SB 10 - Representative Somerville moved **SB 10** be concurred in.

SB 10 - Representative Rehbein moved **SB 10**, second reading copy, be amended as follows :

1. Title, line 9.
Following: " ; "

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Insert: "ELIMINATING THE REQUIREMENT THAT CERTAIN FARM VEHICLES MUST BE OPERATED WITHIN 100 MILES OF A FARMING OPERATION TO BE EXEMPT FROM CERTAIN WIDTH REQUIREMENTS;"

2. Page 2, line 14 through line 15.

Strike: "for" on line 14 through "miles" on line 15

3. Page 2, line 19 through line 20.

Strike: "within" on line 19 through "hay" on line 20

4. Page 3, line 6.

Strike: "for" through "miles"

Amendment concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, E. Clark, P. Clark, 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, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Brainard, R. Clark, Cobb, Galvin-Halcro, Ohs, Rose, Smith, Tuss, Wyatt.

Total 9

Excused: Ryan.

Total 1

Absent or not voting: Bitney, Bookout-Reinicke, McCann, Swanson.

Total 4

Motion that **SB 10**, as amended, be concurred in 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, 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, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, Galvin-Halcro, Hurdle, Jore, McGee, Orr, Wagner.

Total 7

Voted Absentee: Ryan, Aye.

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 133 - Representative Anderson moved **SB 133** be concurred in.

SB 133 - Representative Vick moved **SB 133**, second reading copy, be amended as follows :

1. Page 2, line 4.

Following: "IS"

Insert: "80 miles an hour during the daytime and"

Following: "HOUR"

Strike: "AT ALL TIMES"

Insert: "during the nighttime"

Amendment failed as follows:

Ayes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, Cobb, Davies, Eggers, Fisher, Fuchs, Galvin-Halcro, Grinde, Hibbard, Hurdle, Jore, Kitzenberg, Krenzler, Lindeen, McGee, McKenney, Molnar, Orr, Rehbein, Shockley, Sliter, Taylor, Tuss, Vick, Wagner, Witt, Wyatt, Younkin, Mr. Speaker.

Total 37

Noes: J. Andersen, S. Anderson, Beck, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Dell, Erickson, Ewer, Facey, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Jackson, Johnson, Juneau, Kasten, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Williams, Zook.

Total 61

Excused: Ryan.
Total 1

Absent or not voting: Barnhart.
Total 1

SB 133 - Representative Matthews moved **SB 133**, second reading copy, be amended as follows :

1. Title, line 16.

Following: ";

Insert: "INCREASING TRUCK SPEED LIMITS ON CERTAIN HIGHWAYS;"

2. Page 6, line 24.

Strike: "60"

Insert: "65"

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

3. Page 6, line 25.

Strike: "55"

Insert: "65"

Representative Eggers excused at this time.

Amendment failed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, E. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Hagener, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McKenney, Molnar, Mood, Ohs, Orr, Pavlovich, Rehbein, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Tuss, Vick, Wagner, Witt, Younkin, Zook.

Total 44

Noes: J. Andersen, Barnhart, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lindeen, Mangan, McCann, McCulloch, McGee, Menahan, Noennig, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Smith, Squires, Swanson, Thomas, Trexler, Tropila, Walters, Williams, Wyatt, Mr. Speaker.

Total 55

Voted Absentee: Eggers, No.

Excused: Ryan.

Total 1

Absent or not voting: None.

Total 0

Motion that **SB 133** be concurred in carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 73

Noes: Adams, E. Bergsagel, Brainard, E. Clark, Curtiss, Davies, Eggers, Fuchs, Hanson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, McGee, Molnar, Orr, Rehbein, Ryan, Shockley, Sliter, Stovall, Taylor, Tuss, Vick, Wagner, Witt.

Total 27

Voted Absentee: Eggers, Ryan, Noes.

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Williams moved the Committee of the Whole report be adopted. Report adopted 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, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, 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, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: P. Bergsagel, Cobb, Fuchs, Jore, McGee, Molnar, Rehbein, Sliter, Tuss, Wagner.
Total 10

Excused: Eggers, Ryan.
Total 2

Absent or not voting: Adams, Fisher, Hedges, Masolo, Simon.
Total 5

MOTIONS

Representative Squires requested on **HB 182**, 3rd reading today, her vote be changed from no to yes and on **HB 183**, 3rd reading today, her vote be shown as yes. There being no objections, so ordered.

Representative Eggers requested on **HB 412**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Simon requested on **HB 267**, 3rd reading today, his vote be changed from yes to no. There being no objections, so ordered.

Representative Buzzas requested on **HB 96**, 3rd reading today, her vote be changed from yes to no. There being no objections, so ordered.

Representative Swanson moved that the House reconsider its action on **HB 449**. Motion passed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, Cobb, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 50

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown,

HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 15, 1999

R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Hanson, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 46

Excused: Eggers, Ryan.
Total 2

Absent or not voting: P. Clark, Simon.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, February 16, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House