

**HOUSE JOURNAL
FORTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 24, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Davies. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Kasten and Wagner. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/24/1999
Correctly engrossed: **HB 606, HJR 1, HJR 28, SB 200, SB 260.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/23/1999

SB 130, introduced by Hertel
SB 132, introduced by Hertel
SB 220, introduced by Toews
SB 233, introduced by Bohlinger
SB 264, introduced by Ekegren
SB 270, introduced by Devlin
SB 302, introduced by Toews
SB 344, introduced by Swysgood
SB 345, introduced by Shea
SB 355, introduced by Mohl
SB 365, introduced by Mohl
SB 366, introduced by Bartlett
SB 372, introduced by Halligan
SB 390, introduced by Bishop
SB 403, introduced by Stang
SB 409, introduced by Ellingson
SB 419, introduced by Shea
SB 421, introduced by Mahlum
SB 430, introduced by Roush
SB 434, introduced by Waterman
SB 446, introduced by Taylor
SB 448, introduced by Franklin
SB 452, introduced by Beck
SB 453, introduced by Beck
SB 457, introduced by Cocchiarella
SB 466, introduced by Halligan
SB 470, introduced by Eck
SB 471, introduced by Cole
SB 472, introduced by Wells
SB 476, introduced by Bishop
SB 477, introduced by Mahlum

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SB 481, introduced by Thomas
SB 486, introduced by Halligan
SB 488, introduced by Bartlett
SB 490, introduced by Glaser
SB 500, introduced by Berry
SB 503, introduced by Ellingson
SB 504, introduced by Lynch
SB 505, introduced by Grimes
SB 506, introduced by Grimes
SB 507, introduced by Grimes

Senate joint resolutions passed and transmitted to the House for concurrence:

SJR 8, introduced by Jergeson
SJR 12, introduced by Cole

SB 10 - The Senate failed to concur in House amendments to **SB 10**, introduced by Mohl.

House amendments to Senate bill concurred in:

SB 133, introduced by Mohl

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 54 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, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Jackson, Johnson, Juneau, 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, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Cobb, Jore, Orr, Tuss.

Total 5

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: Hedges, Holden, Hurdle.

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Total 3

HB 108 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. 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, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, 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 83

Noes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Davies, Jore, Kasten, Molnar, Orr, Rehbein, Shockley, Vick.

Total 15

Voted Absentee: Wagner, Aye; Kasten, No.

Excused: None.

Total 0

Absent or not voting: Hibbard, Ohs.

Total 2

HB 298 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, Dell, Ewer, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Buzzas, P. Clark, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Mangan, Peck, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 25

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: None.

Total 0

HB 478 passed as follows:

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Ayes: Ahner, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Walters, Williams, Wyatt, Mr. Speaker.

Total 69

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Cobb, Haines, Hanson, Hibbard, Jore, Masolo, McCann, Mood, Noennig, Orr, Rehbein, Smith, Story, Taylor, Trexler, Vick, Wagner, Witt, Younkin, Zook.

Total 28

Voted Absentee: Wagner, No.

Excused: Kasten.

Total 1

Absent or not voting: Fisher, McKenney.

Total 2

HB 548 passed as follows:

Ayes: Adams, Ahner, Barnhart, Beck, Bitney, Buzzas, P. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Thomas, Trexler, Tuss, Wagner, Walters, Williams, Wyatt, Mr. Speaker.

Total 69

Noes: J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Cobb, Davies, Grinde, Hagener, Hanson, Jore, Kitzenberg, Masolo, McCann, Orr, Rehbein, Story, Stovall, Tash, Taylor, Tropila, Vick, Witt, Younkin, Zook.

Total 29

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: Bookout-Reinicke.

Total 1

HB 550 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Krenzler, Lenhart, Masolo, Matthews,

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McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Barnhart, E. Bergsagel, P. Clark, Cobb, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Kitzenberg, Lawson, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Squires, Swanson, Thomas, Williams, Wyatt.

Total 30

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: Johnson.

Total 1

HB 560 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, 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, Younkin, Zook, Mr. Speaker.

Total 89

Noes: E. Bergsagel, P. Bergsagel, Cobb, Gallus, Galvin-Halcro, Gutsche, Hurdle, Jore, Mangan, Wyatt.

Total 10

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: None.

Total 0

HB 563 failed as follows:

Ayes: S. Anderson, Beck, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, P. Clark, Davies, Dell, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Harrington, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McGee, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Story, Stovall, Vick, Wyatt.

Total 49

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Noes: Adams, Ahner, J. Andersen, Barnett, Barnhart, E. Bergsagel, Bitney, Brainard, Buzzas, R. Clark, Cobb, Curtiss, Eggers, Erickson, Ewer, Facey, Fisher, Gutsche, Haines, Hanson, Harper, Hedges, Hibbard, Holden, McCann, McCulloch, McKenney, Menahan, Mood, Ohs, Orr, Rose, Shockley, Sliter, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 49

Voted Absentee: Wagner, No.

Excused: Kasten.
Total 1

Absent or not voting: Dale.
Total 1

HB 633 passed as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dale, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 64

Noes: Barnhart, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Lindeen, Mangan, Matthews, McCulloch, McGee, Orr, Peck, Raney, Rehbein, Ryan, Schmidt, Smith, Squires, Story, Swanson, Williams, Wyatt.
Total 34

Voted Absentee: Wagner, Aye.

Excused: Kasten.
Total 1

Absent or not voting: S. Anderson.
Total 1

HJ 1 adopted as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, 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, 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, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 81

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Curtiss, Davies, Grinde, Hanson, Jore, Kasten,

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McGee, Orr, Rehbein, Shockley, Story, Taylor, Vick, Walters.
Total 19

Voted Absentee: Wagner, Aye; Kasten, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 28 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, Brainard, Davies, Jore, McGee, Orr, Rehbein, Story, Vick.
Total 9

Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 200 concurred in 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, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Peck, Raney, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams.
Total 35

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Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 260 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, 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, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Brainard, Eggers, Ewer, Hagener, Orr, Peck, Smith.
Total 7

Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: Williams.
Total 1

SB 274 concurred in 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, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, 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 91

Noes: Adams, Facey, Hurdle, Jore, Krenzler, Orr, Rehbein, Shockley.
Total 8

Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.

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Total 0

Absent or not voting: Simon.

Total 1

HB 606 failed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Curtiss, Dell, Erickson, Facey, Guggenheim, Haines, Hedges, Jackson, Lawson, Lenhart, Mangan, McKenney, Noennig, Ohs, Raney, Rose, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Thomas, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 38

Noes: Adams, Ahner, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, E. Clark, Cobb, Dale, Davies, Eggers, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Hanson, Harper, Harrington, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Orr, Pavlovich, Peck, Quilici, Rehbein, Ryan, Schmidt, Shockley, Story, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Wyatt.

Total 61

Voted Absentee: Kasten, Wagner, Noes.

Excused: None.

Total 0

Absent or not voting: Hibbard.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

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

House adjourned at 4:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House