

**HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
March 6, 1999

House Chambers  
State Capitol

House convened at 7:45 a.m. Mr. Speaker in the Chair. Invocation by Representative Bitney. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Adams, Brown, Dell, Eggers, Gillan, Guggenheim, Krenzler, Pavlovich, Schmidt, Stovall, Swanson, Taylor, Williams, and Younkin. Quorum present.

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

Rehbein, Chairman

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 3/6/1999  
Correctly printed: **HB 510, SB 54, SB 68, SB 107, SB 231, SB 291, SB 292, SB 296.**  
Correctly engrossed: **HB 404, HB 418, HB 470, HB 479, HB 495, HB 536.**  
Correctly enrolled: **HB 38, HB 73.**  
Examined by the sponsor and found to be correct: **HB 38, HB 73.**

**AGRICULTURE** (Barnett, Chairman): 3/5/1999  
**SB 187**, be amended as follows:

1. Title, line 5.

**Strike:** "AND"

2. Title, line 6.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1.

**Following:** line 17

**Insert:** "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

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

**SB 196**, be concurred in. Report adopted.

**SB 394**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Simon, Chairman): 3/5/1999  
**SB 162**, be concurred in. Report adopted.  
**SB 289**, be amended as follows:

1. Title, line 6.

**Strike:** "EXHORBITANT"

**Insert:** "EXORBITANT"

2. Page 1, line 18.

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 6, 1999

**Strike:** "exhorbitant"  
**Insert:** "exorbitant"

3. Page 2, line 1.  
**Strike:** " "Exhorbitant"  
**Insert:** " "Exorbitant"

4. Page 3, line 7.  
Following: "**entitlement**"  
Insert: "-- **jurisdiction**"

5. Page 3, line 11.  
**Following:** the first "the"  
**Strike:** "commission"  
**Insert:** "state"

6. Page 3, following line 14.  
**Insert:** "(3) A customer has the right to seek remedy in a Montana court."

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

**JUDICIARY** (Clark, Chairman): 3/5/1999  
**SB 188**, be concurred in. Report adopted.  
**SB 191**, be concurred in. Report adopted.  
**SB 201**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Brainard, Chairman): 3/5/1999  
**SB 314**, be concurred in. Report adopted.  
**SB 317**, be concurred in. Report adopted.  
**SB 325**, be concurred in. Report adopted.

**TAXATION** (Hibbard, Chairman): 3/5/1999  
**SB 226**, be concurred in. Report adopted.  
**SB 380**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

House bills concurred in and returned to the House: 3/5/1999

**HB 10**, introduced by Quilici  
**HB 12**, introduced by Quilici  
**HB 48**, introduced by McGee  
**HB 75**, introduced by Ahner  
**HB 101**, introduced by Bookout-Reinicke  
**HB 151**, introduced by Witt  
**HB 214**, introduced by McGee  
**HB 233**, introduced by Schmidt  
**HB 480**, introduced by Johnson

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 6, 1999

**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 404** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Gillan, Grinde, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: Adams, Beck, P. Bergsagel, Brown, Curtiss, Davies, Facey, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hurdle, Jore, Kasten, Lenhart, McCann, Orr, Peck, Rehbein, Ryan, Schmidt, Shockley, Soft, Tropila, Tuss, Vick, Wagner, Wyatt.

Total 28

Voted Absentee: Dell, Eggers, Gillan, Krenzler, Pavlovich, Stovall, Swanson, Taylor, Williams, Younkin, Ayes; Adams, Brown, Guggenheim, Schmidt, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 418** passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, 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, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Brainard, Brown, Davies, Jore, Kasten, Orr, Rehbein, Vick.

Total 12

Voted Absentee: Dell, Eggers, Gillan, Guggenheim, Krenzler, Pavlovich, Schmidt, Stovall, Swanson, Taylor, Williams, Younkin, Ayes; Adams, Brown, Noes.

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 6, 1999

Absent or not voting: None.  
Total 0

**HB 479** 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, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.  
Total 90

Noes: Adams, Facey, Galvin-Halcro, Golie, Mangan, Matthews, Ryan, Shockley, Tuss, Wyatt.  
Total 10

Voted Absentee: Brown, Dell, Eggers, Gillan, Guggenheim, Krenzler, Pavlovich, Schmidt, Stovall, Swanson, Taylor, Williams, Younkin, Ayes; Adams, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 495** passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, 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, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Brown, Curtiss, Davies, Jackson, Jore, Kasten, McCann, Orr, Rehbein, Story, Vick.  
Total 14

Voted Absentee: Dell, Eggers, Gillan, Guggenheim, Krenzler, Pavlovich, Schmidt, Stovall, Swanson, Taylor, Williams, Younkin, Ayes; Adams, Brown, Noes.

Excused: None.  
Total 0

Absent or not voting: S. Anderson.

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 6, 1999

Total 1

**SB 18, as amended by the House**, concurred in as follows:

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

Total 87

Noes: Adams, P. Bergsagel, Brainard, Davies, Jore, Kasten, McGee, Orr, Rehbein, Vick, Wagner, Witt.

Total 12

Voted Absentee: Brown, Eggers, Gillan, Guggenheim, Krenzler, Pavlovich, Schmidt, Stovall, Swanson, Taylor, Williams, Younkin, Ayes; Adams, No.

Excused: Dell.

Total 1

Absent or not voting: None.

Total 0

**SB 32, as amended by the House**, 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, 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, Thomas, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Brainard, Jore, Orr, Taylor, Trexler, Wagner.

Total 6

Voted Absentee: Adams, Brown, Eggers, Gillan, Guggenheim, Krenzler, Pavlovich, Schmidt, Stovall, Swanson, Williams, Younkin, Ayes; Taylor, No.

Excused: Dell.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 6, 1999

**MOTIONS**

Representative Grinde moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to **SB 79**. Motion carried.

The Speaker appointed the following members:

Representative Johnson, Chairman  
Representative Haines  
Representative Swanson

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Monday, March 8, 1999. Motion carried.

House adjourned at 8:00 a.m.

MARILYN MILLER  
Chief Clerk of the House

JOHN MERCER  
Speaker of the House