

**HOUSE JOURNAL
FIFTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 12, 1999

House Chambers
State Capitol

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

Roll Call. All members present except Representatives Grinde and Hanson. Quorum present.

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

Rehbein, Chairman

Speaker Mercer introduced the pages and honorary pages of the week:

Ariana Boussard-Reifel, Arlee
Kevin Grabinski, Troy
Lindsey Hayes, Roberts
Cameron Hystad, Terry
Michael Lentz, Park City
Casey Lozar, Polson
Helen Schumacher, Belgrade
Hoyt Smith, Missoula
Brandon Younkin, Laurel
Striker Clark, Trout Creek (honorary)
Taylor Thomas, Billings (honorary)
Austin Thomas, Billings (honorary)

REPORTS OF STANDING COMMITTEES

Correctly printed: **HB 302, HB 629, HB 630, HB 638, SB 57, SB 82, SB 96, SB 97, SB 100, SB 103, SB 113, SB 124, SB 127, SB 131, SB 166, SB 227, SB 229, SB 235, SB 239, SB 245, SB 270, SB 272, SB 293, SB 305, SB 351, SB 364, SB 438, SB 466, SJR 5, SJR 12.**

Correctly engrossed: **SB 29, SB 44, SB 54, SB 98, SB 196, SB 289, SB 291, SB 296, SB 396.**

Correctly enrolled: **HB 168.**

Examined by the sponsor and found to be correct: **HB 24, HB 94, HB 121, HB 168, HB 171, HB 172, HB 357, HB 392, HB 571, HJR 3.**

FISH, WILDLIFE AND PARKS (Wagner, Chairman):
HB 629, introduced bill, be amended as follows:

3/12/1999

1. Page 2, line 1.

Following: "River"

Insert: ", which may include ongoing department studies as well as findings derived from the draft Blackfoot River Recreation Management Direction of 1999"

2. Page 2, lines 15 and 16.

Following: "among" on line 15

Strike: remainder of line 15 through "River" on line 16

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Insert: "all interested parties"

3. Page 2, line 21.

Following: "river"

Insert: "and how that use is changing from the historical recreational use of the river"

And, as amended, do pass. Report adopted.

SB 293, be amended as follows:

1. Title, line 4.

Following: "USING"

Strike: "ENDANGERED"

Insert: "CERTAIN LISTED"

2. Page 1, line 13.

Following: first "listed"

Strike: "as endangered"

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

HUMAN SERVICES (Soft, Chairman):

3/12/1999

SJR 5, be amended as follows:

1. Page 1.

Following: line 17

Insert: "WHEREAS, the cost of research and development of prescription drugs in the United States is so high that pharmaceutical companies must sell their product for as great a price as the market will bear in order to recoup some of those research and development costs; and"

2. Page 2.

Following: line 2

Insert: "(3) That the United States Congress review the necessity for statutes and regulations that contribute to the high cost of research and development of prescription drugs in the United States and revise or eliminate those statutes and regulations that cause or contribute to the high cost of research and development of those drugs."

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

LOCAL GOVERNMENT (Ahner, Chairman):

3/12/1999

SB 239, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "AUTHORIZING" on line 7 through ";" on line 8

2. Page 1, line 28 through line 30.

Strike: "THE" on line 28 through ";" on line 30

3. Page 2, line 1 through line 5.

Strike: section 5 in its entirety

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

SB 348, be concurred in. Report adopted.

SB 415, be concurred in. Report adopted.

SB 488, be concurred in. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

3/11/1999

HJR 18, be adopted. Report adopted.

SB 57, be amended as follows:

1. Page 1, line 16.

Following: "vehicle."

Insert: "The rules may not permit the routine personal use of a state-owned or leased vehicle that is assigned to an employee on a 24-hour, 7-day-a-week basis."

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

SB 70, be concurred in. Report adopted.

SB 82, be amended as follows:

1. Page 8, line 4.

Following: "by,"

Insert: "working papers,"

2. Page 8, line 9.

Strike: "is"

Insert: "are"

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

SB 457, be concurred in. Report adopted.

SB 471, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman):

3/11/1999

HB 630, introduced bill, be amended as follows:

1. Page 4, line 8.

Strike: "and"

Insert: "or"

2. Page 5, line 11.

Strike: "and"

Insert: "or"

3. Page 8, line 1.

Strike: "and"

Insert: "or"

And, as amended, do pass. Report adopted.

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HB 638, introduced bill, be amended as follows:

1. Page 1, line 11.

Strike: "this chapter"

Insert: "15-30-103, 15-31-101, and 15-31-121"

2. Page 1, line 12.

Following: "payments"

Insert: "for research"

3. Page 1, line 13.

Following: "U.S.C. 41"

Insert: ", as that section read on July 1, 1996"

4. Page 1, line 17.

Strike: "and"

5. Page 1, line 18.

Strike: "the"

Following: "apply"

Insert: "; and "

(iv) the termination date provided for in 26 U.S.C. 41(h) does not apply

6. Page 1, line 19.

Strike: the second "this"

7. Page 1, line 20.

Following: "chapter"

Insert: "30 or 31"

8. Page 1, line 22.

Strike: "this"

Following: "chapter"

Insert: "30 or 31"

9. Page 1, line 23.

Strike: "this"

Following: "chapter"

Insert: "30 or 31"

Following: "for"

Insert: "the"

Following: "15"

Insert: "succeeding"

Following: "credit"

Insert: "not used in the year earned"

Strike: "forward"

Insert: "first"

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10. Page 1, line 25.
Following: "claim a"
Insert: "current year"

11. Page 1, line 26.
Following: "carried"
Insert: "back or"

12. Page 1, line 27.
Strike: "A"
Insert: "An individual,"

13. Page 1, line 28.
Following: "to the"
Insert: "individual"

14. Page 1, line 30.
Strike: "may"
Insert: "do"

15. Page 2, line 2.
Strike: ", for a corporation "

16. Page 2, line 3.
Following: "(i)"
Insert: "for a corporation"

17. Page 2, line 5.
Following: "(ii)"
Insert: "for a corporation"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in the Governor's amendments:

SB 260, introduced by Glaser 3/11/1999

Senate bills passed and transmitted to the House for concurrence: 3/11/1999

SB 441, introduced by Christiaens

SB 467, introduced by Bartlett

House bill concurred in and returned to the House: 3/11/1999

HB 168, introduced by Kasten

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

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HB 155, introduced by Pavlovich

FIRST READING AND COMMITMENT OF BILLS

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

SB 441, introduced by C. Christiaens, G. Devlin, A. Ellis, J. McKenney, B. Pavlovich, J. Tester, C. Tuss, D. Wagner, referred to Taxation.

SB 467, introduced by S. Bartlett, referred to Appropriations.

MOTIONS

Representative Pavlovich moved that the House reconsider its action taken on **SB 210**. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 62

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Orr, Rehbein, Shockley, Simon, Sliter, Story, Taylor, Trexler, Vick, Wagner, Walters.

Total 33

Excused: Grinde, Hanson.

Total 2

Absent or not voting: Fisher, Haines, Mood.

Total 3

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Sliter moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hibbard in the chair.

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

SB 260 - Governor's Amendments - Representative Rose moved Governor's amendments to **SB 260** be not concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Zook, Mr. Speaker.
Total 94

Noes: Mangan, Peck, Tuss, Wyatt.
Total 4

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Barnhart, Younkin.
Total 2

SB 27 - Representative Quilici moved **SB 27** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, 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, 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.
Total 90

Noes: Adams, Curtiss, Jore, Kasten, Orr, Rehbein, Story.
Total 7

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Dale, McGee, Mr. Speaker.
Total 3

SB 394 - Representative Guggenheim moved **SB 394** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, 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, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 84

Noes: Adams, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Davies, Jore, McGee, Molnar, Orr, Rehbein, Sliter, Vick, Wagner.

Total 15

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Facey.

Total 1

SB 114 - Representative Squires moved **SB 114** be concurred in. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, 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 87

Noes: Adams, Ahner, Bitney, Brainard, Davies, Fuchs, Jore, McGee, Molnar, Orr, Rehbein, Vick, Wagner.

Total 13

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 428 - Representative Sliter moved consideration of **SB 428** be passed for the day. Motion carried.

SB 188 - Representative Younkin moved **SB 188** be concurred in. 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, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, 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, 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.

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Total 92

Noes: Fuchs, Gallus, Hurdle, Jore, McGee, Orr, Wagner.

Total 7

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

SB 112 - Representative Shockley moved **SB 112** 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, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

Absent or not voting: McKenney.

Total 1

SB 197 - Representative Mangan moved **SB 197** be concurred in. Motion carried as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Raney, Ryan, Schmidt, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Mr. Speaker.

Total 65

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Davies, Haines, Holden, Jackson, Jore, Krenzler, McCann, McGee, Molnar, Orr, Quilici, Rehbein, Rose, Shockley,

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Simon, Somerville, Story, Taylor, Trexler, Vick, Wagner, Walters, Witt, Zook.
Total 34

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

SB 128 - Representative Noennig moved **SB 128** be concurred in. Motion carried 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, 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, McKenney, Menahan, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: P. Bergsagel, Davies, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Story, Vick, Wagner.
Total 11

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

SB 230 - Representative Molnar moved **SB 230** 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, Jore, 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.
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Noes: McGee.
Total 1

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Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 555 - Representative McKenney moved **HB 555** do pass.

HB 555 - Representative McKenney moved **HB 555**, second reading copy, be amended as follows :

1. Page 5, line 25.

Strike: "director of the department of revenue"

Insert: "director of the office of budget and program planning"

Amendment 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, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, 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, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore.
Total 1

Excused: Grinde, Hanson.
Total 2

Absent or not voting: None.
Total 0

Motion that **HB 555**, as amended, do pass carried 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, 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, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
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Noes: P. Bergsagel, Hurdle, Jore, Orr, Rehbein, Shockley, Vick.
Total 7

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Holden, Hurdle, 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, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Jore, Rehbein.
Total 2

Excused: Grinde, Hanson.
Total 2

Absent or not voting: Gallus, Hibbard, Jackson, Rose, Shockley, Squires, Trexler, Tropila, Tuss.
Total 9

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 128 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Brown, Buzzas, E. Clark, Cobb, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Guggenheim, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 69

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Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Curtiss, Eggers, Golie, Grinde, Gutsche, Hanson, Hurdle, Jore, Kasten, Mangan, McCann, McGee, Molnar, Peck, Sliter, Smith, Taylor, Tuss, Vick, Wagner, Walters.

Total 29

Voted Absentee: Grinde, Hanson, Noes.

Excused: None.

Total 0

Absent or not voting: Hagener, Witt.

Total 2

SB 29 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, 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, 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: Cobb, McGee, Molnar, Orr.

Total 4

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Erickson.

Total 1

SB 44 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, 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, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Davies, Jore, Mangan, McGee, Orr, Rehbein, Smith,

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Vick.
Total 13

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Soft.
Total 1

SB 54, 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, 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, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, 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 84

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Dale, Davies, Fuchs, Jore, Mangan, McGee, Molnar, Orr, Peck, Rehbein, Vick, Wagner.
Total 16

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 98 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, 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, 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, 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, Brainard, Cobb, Jore, McGee, Orr, Rehbein, Smith.
Total 8

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Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 196 concurred in 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, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, 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, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Hurdle, Jore, Vick.
Total 3

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Masolo.
Total 1

SB 289, as amended by the House, concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, 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, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: Adams, P. Bergsagel, Bitney, Fuchs, Jore, McGee, Orr, Rehbein, Story, Vick, Wagner.
Total 11

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 291 concurred in 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, 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, 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 96

Noes: Davies, Jore, Rehbein, Story.

Total 4

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 296 concurred in 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, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: McGee.

Total 1

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 396 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, 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, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Grinde, Hanson, Ayes.

Excused: None.
Total 0

Absent or not voting: Beck, Swanson.
Total 2

MOTIONS

Representative Sliter moved that **SB 27** be rereferred to the Committee on Appropriations. Motion carried.

Representative Sliter 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 274**. Motion carried.

The Speaker appointed the following members:

Representative Kitzenberg, Chairman
Representative Eggers
Representative McKenney

Representative Sliter moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on the Governor's amendments to **SB 260**. Motion carried.

The Speaker appointed the following members:

Representative Rose, Chairman
Representative Beck
Representative Fisher

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Representative Wyatt moved that **SB 65** be taken from the Committee on Judiciary, be printed and placed on 2nd reading. Motion failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Witt, Wyatt.

Total 45

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Haines, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Masolo, McGee, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 50

Excused: Grinde, Hanson.

Total 2

Absent or not voting: Brown, Cobb, Johnson.

Total 3

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Whip Sliter moved that the House adjourn until 8:00 a.m., Saturday, March 13, 1999. Motion carried.

House adjourned at 2:30 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House