

**HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 17, 1999

House Chambers
State Capitol

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

Roll Call. All members present except Representatives Cobb, Curtiss, Dale, Kasten, and Kitzenberg. Quorum present.

Speaker Mercer introduced the honorary pages of the day:

Brittany Kemmer, Havre
David Hitt, East Helena
Ben Hitt, East Helena
Andrew Bohyer, Helena
Whitney Bergum, Great Falls
J.J. Bankhead, Heron

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

4/17/1999

Correctly engrossed: **SB 534**.

Correctly enrolled: **HB 389, HB 536, HB 551, HB 560, HB 584, HB 586, HB 620, HB 621, HB 651, HB 658, HB 660**.

Delivered to the Governor for his approval at 10:37 a.m., April 17, 1999: **HB 379, HB 395, HB 396, HB 399, HB 404, HB 405, HB 435, HB 444, HB 461, HB 486, HB 502, HB 504, HB 526, HB 532, HB 638, HB 652, HB 656, HB 657, HB 659**.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on House Bill 5

Report No. 1, April 17, 1999

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 5** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 5** (reference copy -- salmon) be amended as follows:

1. Page 1, line 19.

Following: "(1)"

Strike: "The"

Insert: "Except as provided in subsection (4)(c), the"

2. Page 5, line 6.

Strike: "\$6,050,000"

Insert: "\$5,670,000"

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3. Page 5, line 7.

Strike: "\$550,000"

Insert: "\$170,000"

Following: "GENERAL"

Strike: "OBLIGATION BOND PROCEEDS AUTHORIZED IN HOUSE BILL NO. 14"

Insert: "fund money"

4. Page 5.

Following: line 24

Insert: "(c) (i) It is the intent of the legislature that the department of corrections may not accept federal funds for capital construction unless all conditions necessary to receive the federal dollars have been irrevocably met in advance of the expenditure of the federal funds.

(ii) It is further the intent of the legislature that federal spending authority for a capital construction project may be used only for the project identified in the law authorizing the project and may not be used for any other project."

5. Page 7, line 26.

Strike: "\$100,000"

Insert: "\$50,000"

For the House:

L. Taylor, Chairman
E. Bergsagel
McCann

For the Senate:

T. Beck, Chairman
Halligan
Swysgood

MESSAGES FROM THE SENATE

Governor's amendments to House bill concurred in and returned to the House: 4/16/1999

HB 245, introduced by Simon

Governor's amendments to Senate bill concurred in and returned to the House: 4/16/1999

SB 356, introduced by Mohl

The Senate failed to concur in **HB 516** on second reading, and said bill is herewith returned to the House: 4/15/1999

HB 516, introduced by Grinde

House amendments to Senate bills concurred in: 4/16/1999

SB 164, introduced by Mesaros

SB 199, introduced by Christiaens

SB 220, introduced by Toews

SB 265, introduced by Grimes

SB 302, introduced by Toews

SB 441, introduced by Christiaens

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SB 454, introduced by T. Beck
SB 487, introduced by Roush
SB 492, introduced by Grosfield
SB 530, introduced by Bishop

House amendments to Senate joint resolution concurred in: 4/16/1999

SJR 16, introduced by K. Miller

HB 13 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 13**:
4/16/1999

Senator Keating, Chairman
Senator T. Beck
Senator Doherty

HB 127 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 127**:
4/16/1999

Senator Keenan, Chairman
Senator Bishop
Senator Halligan

HB 5 - The Senate acceded to the request of the House and authorized the President to appoint the following free conference committee to meet with a like committee from the House to confer on **HB 5**:
4/16/1999

Senator T. Beck, Chairman
Senator Halligan
Senator Swysgood

HB 57 - The Senate acceded to the request of the House and authorized the President to appoint the following free conference committee to meet with a like committee from the House to confer on **HB 57**:
4/16/1999

Senator Glaser, Chairman
Senator F. Thomas
Senator Wilson

Conference committee report #1 adopted: 4/16/1999

HJR 5, introduced by Jore
SB 59, introduced by J. Wells
SB 243, introduced by F. Thomas
SB 301, introduced by Keating
SB 338, introduced by Mesaros

Free conference committee report #1 adopted: 4/16/1999

HB 506, introduced by Sliter
SB 482, introduced by Mesaros

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Free conference committee report #1 rejected:

4/16/1999

SB 217, introduced by K. Miller

SB 406 - The Senate dissolved the conference committee on Senate amendments to **SB 406**, and authorized the President to appoint the following free conference committee to confer on **SB 406**:

4/16/1999

Senator F. Thomas, Chairman
Senator Berry
Senator Doherty

**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 Pavlovich in the chair.

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

HB 174 - Senate Amendments - Representative Hibbard moved Senate amendments to **HB 174** be concurred in. Motion carried 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, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, P. Bergsagel, Cobb, Curtiss, Eggers, Jore, Lawson, McCann, Peck, Tuss.

Total 10

Voted Absentee: Kitzenberg, Aye; Cobb, Curtiss, Noes.

Excused: Dale, Kasten.

Total 2

Absent or not voting: Grinde, Harrington, Matthews, Sliter.

Total 4

Representative P. Clark excused at this time.

HJR 35 - Senate Amendments - Representative Wyatt moved Senate amendments to **HJR 35** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, 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 95

Noes: Jore.

Total 1

Voted Absentee: P. Clark, Curtiss, Kasten, Kitzenberg, Ayes.

Excused: Cobb, Dale.

Total 2

Absent or not voting: Johnson, Ohs.

Total 2

SJR 21 - Representative Barnett moved **SJR 21** be concurred in. Motion carried as follows:

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

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Curtiss, Davies, Jore, Kasten, McCann, McGee, Rehbein, Tuss.

Total 11

Voted Absentee: P. Clark, Kitzenberg, Ayes; Curtiss, Kasten, Noes.

Excused: Cobb, Dale.

Total 2

Absent or not voting: Brainard.

Total 1

HB 341 - Senate Amendments - Representative Lenhart moved Senate amendments to **HB 341** 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, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee,

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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: None.
Total 0

Voted Absentee: Curtiss, Kasten, Kitzenberg, Ayes.

Excused: P. Clark, Cobb, Dale.
Total 3

Absent or not voting: None.
Total 0

SB 59 - Conference Committee Report No. 1 - Representative Walters moved the Conference Committee report to **SB 59** be adopted. 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, Curtiss, 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, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Facey, Galvin-Halcro, Golie, Lawson, Mangan, McGee, Molnar, Somerville.
Total 8

Voted Absentee: P. Clark, Curtiss, Kasten, Kitzenberg, Ayes.

Excused: Cobb, Dale.
Total 2

Absent or not voting: None.
Total 0

SB 338 - Conference Committee Report No. 1 - Representative Fuchs moved the Conference Committee report to **SB 338** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Mood, Noennig, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt,

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Younkin, Zook, Mr. Speaker.
Total 77

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Galvin-Halcro, Jore, Lawson, McGee, Menahan, Molnar, Orr, Pavlovich, Smith, Story, Trexler.
Total 18

Voted Absentee: P. Clark, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: Cobb, Dale.
Total 2

Absent or not voting: Barnhart, Ohs, Vick.
Total 3

HB 314 - Free Conference Committee Report No. 1 - Representative Fuchs moved the Free Conference Committee report to **HB 314** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Davies, 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, 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, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: E. Bergsagel, P. Bergsagel, Brown, E. Clark, Curtiss, Jore, Orr, Smith.
Total 8

Voted Absentee: P. Clark, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: Cobb, Dale.
Total 2

Absent or not voting: Fisher.
Total 1

HB 515 - Senate Amendments - Representative Grinde moved Senate amendments to **HB 515** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Grinde, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 73

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Noes: P. Clark, Erickson, Ewer, Facey, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hurdle, Jore, Juneau, Lenhart, Mangan, Orr, Peck, Rehbein, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.
Total 24

Voted Absentee: Curtiss, Kasten, Kitzenberg, Ayes; P. Clark, No.

Excused: Cobb, Dale.
Total 2

Absent or not voting: E. Bergsagel.
Total 1

HB 674 - Senate Amendments - Representative Hibbard moved Senate amendments to **HB 674** be concurred in. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: P. Clark, Curtiss, Kasten, Kitzenberg, Ayes.

Excused: Cobb, Dale.
Total 2

Absent or not voting: Ahner.
Total 1

HB 670 - Senate Amendments - Representative Eggers moved Senate amendments to **HB 670** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, 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, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

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Noes: E. Bergsagel, P. Bergsagel, Brown, E. Clark, Curtiss, Dell, Jackson, Krenzler.
Total 8

Voted Absentee: P. Clark, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: Cobb, Dale.
Total 2

Absent or not voting: Tropila, Vick.
Total 2

HB 350 - Senate Amendments - Representative Brainard moved Senate amendments to **HB 350** be concurred in.

HB 350 - Representative Ewer moved consideration of **HB 350** be placed at the bottom of the second reading board.
Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Soft, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt, Younkin, Zook.
Total 44

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Mr. Speaker.
Total 48

Excused: P. Clark, Cobb, Curtiss, Dale, Kasten, Kitzenberg.
Total 6

Absent or not voting: Hibbard, Johnson.
Total 2

Motion that the Senate amendments to **HB 350** be concurred in carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 53

Noes: Barnhart, Beck, P. Bergsagel, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt.
Total 47

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Voted Absentee: Cobb, Curtiss, Dale, Kasten, Kitzenberg, Ayes; P. Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 96 - Free Conference Committee Report No. 1 - Representative Bitney moved the Free Conference Committee report to **SB 96** be adopted. Motion carried 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, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Grinde, Guggenheim, Gutsche, 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, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: P. Bergsagel, Brainard, Curtiss, Eggers, Galvin-Halcro, Gillan, Golie, Hagener, Jore, Schmidt, Story, Tropila, Tuss, Vick, Wyatt.
Total 15

Voted Absentee: P. Clark, Dale, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: Cobb.
Total 1

Absent or not voting: Somerville, Swanson.
Total 2

SB 97 - Free Conference Committee Report No. 1 - Representative Bitney moved the Free Conference Committee report to **SB 97** be adopted. Motion failed as follows:

Ayes: Barnhart, Beck, Bitney, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Matthews, McKenney, Menahan, Mood, Noennig, Pavlovich, Quilici, Raney, Schmidt, Sliter, Soft, Somerville, Stovall, Swanson, Tash, Thomas, Williams, Wyatt.
Total 48

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Curtiss, Davies, Galvin-Halcro, Golie, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Lenhart, Mangan, Masolo, McCann, McCulloch, McGee, Ohs, Orr, Peck, Rehbein, Rose, Ryan, Shockley, Simon, Smith, Squires, Story, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 49

Voted Absentee: P. Clark, Kasten, Kitzenberg, Ayes; Curtiss, No.

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Excused: Cobb, Dale.
Total 2

Absent or not voting: Molnar.
Total 1

SB 323 - Representative McCulloch moved **SB 323** be concurred in.

SB 323 - Representative Hagener moved **SB 323**, second reading copy, be amended as follows :

1. Title, line 10.

Following: line 9

Insert: "AND SENIOR AND LONG-TERM CARE"

2. Page 1, line 21.

Following: "care"

Insert: "and senior and long-term care"

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Somerville, Squires, Thomas, Tropila, Tuss, Williams, Wyatt.
Total 43

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Jore, Kitzenberg, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Story, Stovall, Swanson, Tash, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 51

Voted Absentee: Curtiss, Dale, Kitzenberg, Noes.

Excused: P. Clark, Cobb, Kasten.
Total 3

Absent or not voting: Fuchs, Molnar, Taylor.
Total 3

Representative Barnett moved for cloture. Motion carried.

Motion that **SB 323** be concurred in failed as follows:

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

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Total 42

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

Total 57

Voted Absentee: P. Clark, Aye; Curtiss, Dale, Kasten, Kitzenberg, Noes.

Excused: Cobb.

Total 1

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 Pavlovich moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 59

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

Total 33

Excused: P. Clark, Cobb, Curtiss, Dale, Kasten, Kitzenberg.

Total 6

Absent or not voting: Beck, Bookout-Reinicke.

Total 2

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 260, as amended by the Senate, passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kitzenberg, Masolo, Matthews, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich,

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Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

Noes: Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jore, Juneau, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCann, McCulloch, Molnar, Orr, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Vick, Williams, Wyatt.

Total 45

Voted Absentee: Cobb, Dale, Kitzenberg, Ayes; P. Clark, Curtiss, Kasten, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 478, Free Conference Committee Report No. 1, adopted as follows:

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

Total 68

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brown, E. Clark, R. Clark, Curtiss, Davies, Hagener, Haines, Hanson, Hedges, Hibbard, Jore, Kasten, Masolo, McCann, Orr, Peck, Rehbein, Rose, Smith, Story, Taylor, Thomas, Trexler, Vick, Witt, Younkin, Zook.

Total 32

Voted Absentee: P. Clark, Cobb, Dale, Kitzenberg, Ayes; Curtiss, Kasten, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 530, as amended by the Senate, passed as follows:

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

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Total 70

Noes: Barnhart, Buzzas, E. Clark, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Hurdle, Johnson, Juneau, Lindeen, Mangan, Matthews, McCulloch, Raney, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 29

Voted Absentee: P. Clark, Cobb, Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.

Total 0

Absent or not voting: Simon.

Total 1

HB 641, as amended by the Senate, 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, 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, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Jackson, Jore, Orr, Rehbein, Vick.

Total 5

Voted Absentee: P. Clark, Cobb, Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: None.

Total 0

Absent or not voting: McGee, Schmidt, Tuss.

Total 3

HB 647, as amended by the Senate, passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, 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, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Zook, Mr. Speaker.

Total 83

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Noes: Adams, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Curtiss, Hanson, Jackson, Jore, Kasten, Orr, Rehbein, Story, Taylor, Witt.
Total 15

Voted Absentee: P. Clark, Dale, Kitzenberg, Ayes; Curtiss, Kasten, Noes.

Excused: Cobb.
Total 1

Absent or not voting: Wyatt.
Total 1

HB 669, as amended by the Senate, 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, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, 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 94

Noes: Eggers, Hagener, Hurdle, Shockley, Smith.
Total 5

Voted Absentee: P. Clark, Curtiss, Dale, Kasten, Kitzenberg, Ayes.

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

SB 534, as amended by the House, concurred in as follows:

Ayes: Adams, 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, 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, Quilici, 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 88

Noes: E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Jore, McGee, Molnar, Orr, Peck, Raney, Vick.
Total 12

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Voted Absentee: P. Clark, Cobb, Dale, Kasten, Kitzenberg, Ayes; Curtiss, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Noennig requested on **SB 338**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Jore requested on **SB 96**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Monday, April 19, 1999. Motion carried.

House adjourned at 10:10 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House