

**HOUSE JOURNAL
SECOND LEGISLATIVE DAY**

Helena, Montana
June 16, 1999

House Chambers
State Capitol

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

Roll Call. All members present except Representatives Adams and McKenney. Quorum present.

COMMUNICATIONS AND PETITIONS

A JOINT PROCLAMATION OF THE SENATE AND THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, Ben Hainlin was the loving husband of Mary, and father of Sarah, Leslie and Lisa; and

WHEREAS, Ben honorably served in the military in the defense of his country; and

WHEREAS, he tirelessly worked for 30 years in the promotion of the beliefs and ideals of the Republican party; and

WHEREAS, Ben Hainlin served the Montana House of Representatives for many years, courteously and respectfully protecting the public and members of the Montana Legislature in carrying out their official duties for the State of Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That all Montana legislators wish to make known their appreciation for the life and service of Ben Hainlin and to share their expression of loss and sorrow with his family and friends.

Signed by Representatives Mercer, Grinde and Swanson, and Senators Crippen, Doherty, and Harp.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Zook, Chairman):

6/15/1999

HB 2, introduced bill, be amended as follows:

1. Page 1, line 24.

Insert: "NEW SECTION. Section 3. Appropriation for Chapter 563, Laws of 1999. There is appropriated to the department of administration \$600,000 for fiscal year 2000 and \$600,000 for fiscal year 2001 from coal producer's license tax proceeds allocated to the department in section 16(4), Chapter 563, Laws of 1999. The appropriation is for tax increment financing industrial districts."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

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Senate bills passed and transmitted to the House for concurrence:

6/15/1999

SB 1, introduced by Cole, Stovall

SB 2, introduced by Devlin, Lindeen, Lynch, Somerville

FIRST READING AND COMMITMENT OF BILLS

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

SB 1, introduced by Cole, Stovall, referred to Natural Resources.

SB 2, introduced by Lynch, Devlin, Lindeen, Somerville, referred to Transportation.

**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 Simon in the chair.

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

HB 2 - Representative Zook moved **HB 2** do pass. Motion carried as follows:

Ayes: Ahner, Andersen, Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mercer, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook

Total: 78

Nays: Barnhart, P. Bergsagel, Brainard, P. Clark, Galvin-Halcro, Golie, Gutsche, Harper, Hurdle, Jore, Lawson, Lindeen, Mangan, Orr, Peck, Raney, Swanson, Vick, Wagner, Wyatt

Total: 20

Absent or not voting: none

Total: 0

Excused: Adams and McKenney

Total: 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Simon moved the Committee of the Whole report be adopted. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

HB 2 passed as follows:

Ayes: Ahner, Andersen, Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mercer, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook

Total: 78

Nays: Barnhart, P. Bergsagel, Brainard, P. Clark, Galvin-Halcro, Golie, Gutsche, Harper, Hurdle, Jore, Lawson, Lindeen, Mangan, Orr, Peck, Raney, Swanson, Vick, Wagner, Wyatt

Total: 20

Absent or not voting: none

Total: 0

Excused: Adams, McKenney

Total: 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved that the House recess until 2:00 p.m.

House recessed at 8:30 a.m.

House reconvened at 2:00 p.m. Quorum present.

REPORTS OF STANDING COMMITTEES

Signed by the Speaker at 1:15 p.m., June 16, 1999: **HB 1, HB 2.**

NATURAL RESOURCES (Tash, Chairman):

6/16/1999

SB 1, be amended as follows:

1. Page 9, line 12.

Following: "State."

Insert: "The Montana legislature intends that the streamflow management plan should provide enforceable mechanisms that protect the long-term biological viability of the blue ribbon wild trout fishery on the Bighorn River from the Yellowtail Afterbay Dam to the Two Leggins diversion."

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

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TRANSPORTATION (Anderson, Chairman): 6/16/1999
SB 2, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 6/16/1999

HB 1, introduced by Stovall
HB 2, introduced by Zook

**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 Simon in the chair.

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

SB 1 - Representative Stovall moved **SB 1** be concurred in.

SB 1 - Representative Eggers moved **SB 1**, second reading copy, be amended as follows :

1. Page 37, line 23.

Following: "any"

Insert: "Crow allottee or"

Amendment failed as follows:

Ayes: Barnhart, Beck, Brainard, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Gutsche, Hurdle, Jore, Juneau, Lenhart, Mangan, Molnar, Orr, Peck, Raney, Smith, Tuss, Williams, Wyatt
Total: 28

Nays: Ahner, Andersen, Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, Dale, Davies, Dell, Ewer, Fisher, Fuchs, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mercer, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook
Total: 70

Absent or not voting: none
Total: 0

Excused: Adams, McKenney
Total: 2

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Motion that **SB 1** be concurred in carried as follows:

Ayes: Ahner, Andersen, Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mercer, Molnar, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook

Total: 81

Nays: Barnhart, P. Bergsagel, Brainard, P. Clark, Curtiss, Davies, Eggers, Galvin-Halcro, Gutsche, Hurdle, Jore, Lenhart, Orr, Peck, Raney, Vick, Wagner

Total: 17

Absent or not voting: none

Total: 0

Excused: Adams, McKenney

Total: 2

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Simon moved the Committee of the Whole report be adopted. Report adopted.

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:

SB 1 concurred in as follows:

Ayes: Ahner, Andersen, Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mercer, Molnar, 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, Walters, Williams, Witt, Wyatt, Younkin, Zook

Total: 81

Nays: Barnhart, P. Bergsagel, Brainard, P. Clark, Curtiss, Davies, Eggers, Galvin-Halcro, Gutsche, Hurdle, Jore, Lenhart, Orr, Peck, Raney, Vick, Wagner

Total: 17

Absent or not voting: none

Total: 0

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Excused: Adams, McKenney
Total: 2

**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 Simon in the chair.

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

SB 2 - Representative Lindeen moved **SB 2** be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, H agener, H aines, H anson, H arper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mercer, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook
Total: 87

Nays: Andersen, Brainard, R. Clark, Lawson, Lenhart, McGee, Orr, Peck, Smith, Thomas, Walters
Total: 11

Absent or not voting: none
Total: 0

Excused: Adams, McKenney
Total: 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Simon moved the Committee of the Whole report be adopted. Report adopted.

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:

SB 2 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, H agener, H aines, H anson, H arper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler,

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Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mercer, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook

Total: 87

Nays: Andersen, Brainard, R. Clark, Lawson, Lenhart, McGee, Orr, Peck, Smith, Thomas, Walters

Total: 11

Absent or not voting: none

Total: 0

Excused: Adams, McKenney

Total: 2

Speaker Mercer moved that the House stand in recess until 3:30 p.m. Motion carried.

House reconvened at 3:30 p.m. Quorum present.

MOTIONS

Representative Grinde moved that the Speaker appoint a committee to inform the Senate that the House had completed its business and was ready to adjourn sine die. Motion carried. The Speaker appointed Representative Ohs, Chairman, and Representatives Sliter, Tropila, and Williams.

Representative Grinde moved that the Speaker appoint a committee to inform the Governor that the House had completed its business and was ready to adjourn sine die. Motion carried. The Speaker appointed Representative Zook, Chairman, and Representatives Quilici, Menahan, and Hanson.

Representative Grinde moved that the Speaker appoint a committee to inform the Supreme Court that the House had completed its business and was ready to adjourn sine die. Motion carried. The Speaker appointed Representative Cobb, Chairman, and Representatives Shockley, Wyatt, and Tuss.

The committees were discharged.

Sergeant-at-Arms Meuli escorted the committee from the Senate into the House Chamber. Senators Thomas, Ellingson, and Ellis informed the House that the Senate had completed its business and was ready to adjourn sine die.

Sergeant-at-Arms Meuli escorted the committee from the Senate from the House Chamber.

The committees appointed to inform the Senate, the Governor, and the Supreme Court reported that they had been informed that the House was ready to adjourn sine die. Committees were discharged.

Majority Leader Grinde moved that the House adjourn sine die. Motion carried.

House adjourned sine die at 3:35 p.m.

MARILYN MILLER

JOHN MERCER

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Chief Clerk of the House

Speaker of the House