

**HOUSE JOURNAL  
57<sup>TH</sup> LEGISLATURE  
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
January 30, 2001

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Bookout-Reinicke, Mangan, and Witt, excused. Quorum present.

**COMMUNICATIONS AND PETITIONS**

Speaker McGee appointed the following representatives to the Select Committee on **HB 124**:

Representative Story, Chairman  
Representative Waitschies  
Representative Wanzenried  
Representative Branae  
Representative Mangan  
Representative Esp  
Representative Carney  
Representative K. Peterson

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 1/30/2001  
Correctly printed: **HB 42, HB 46, HB 95, HB 147, HB 189, HB 329.**  
Correctly engrossed: **HB 55, HB 127, HB 152, HB 174, HB 176, HB 208, HB 216, HB 246, HB 256.**  
Signed by the Speaker at 11:55 a.m., January 30, 2001: **HB 39, HB 52.**  
Delivered to the Governor for her approval at 3:55 p.m., January 30, 2001: **HB 25, HB 45, HB 98.**

**TAXATION** (Story, Chairman): 1/30/2001  
**HB 369**, introduced bill, be amended as follows:

1. Page 1, line 18.  
**Following:** "or less"  
**Insert:** "or less"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence: 1/29/2001

**SB 29**, introduced by McNutt  
**SB 130**, introduced by F. Thomas  
**SB 192**, introduced by DePratu

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

1/29/2001

**SJR 4**, introduced by Taylor

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 438**, introduced by Mangan, Bohlinger referred to State Administration.

**HB 439**, introduced by Jacobson, referred to Local Government.

**HB 440**, introduced by Jacobson, referred to Local Government.

**HB 441**, introduced by Matthews, Gillan, referred to Taxation.

**HB 442**, introduced by Jayne, D. Brown, K. Peterson, referred to Transportation.

**HB 443**, introduced by Clancy (by request of the Secretary of State), referred to State Administration.

**HB 444**, introduced by Somerville, Gallus, Halligan, Mahlum (by request of the Attorney General), referred to Natural Resources.

**HB 445**, introduced by Gallik, referred to Appropriations.

**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 R. Brown in the chair.

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

**HB 215** - Representative Shockley moved **HB 215** do pass. Motion carried as follows:

Ayes: Balyeat, Bixby, Bookout-Reinicke, Branae, Buzzas, Carney, Clancy, P. Clark, Curtiss, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Gillan, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jayne, Juneau, Kaufmann, Laible, Laslovich, Laszloffy, Lee, Lenhart, Lewis, Lindeen, McCann, Musgrove, Newman, Noennig, A. Peterson, Price, Raser, Rome, Shockley, Thomas, Tramelli, Vick, Waitschies, Walters, Wanzenried, Mr. Speaker.

Total 51

Noes: Adams, Andersen, Bales, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Dale, Davies, Devlin, Esp, Fisher, Galvin-Halcro, Golie, Haines, Himmelberger, Holden, Jackson, Jent, Kasten, Keane, Lawson, Lehman, Mangan, Masolo, Matthews, McKenney, Mood, Olson, Pattison, K. Peterson, Rice, Ripley, Schmidt, Schrupf, Sliter, Smith, Somerville, Steinbeisser, Story, Tropila, Waddill, Whitaker, Witt, Wolery, Younkin.

Total 49

Voted Absentee: Bookout-Reinicke, Aye; Mangan, Witt, Noes.

Excused: None.

Total 0

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Absent or not voting: None.  
Total 0

**HB 258** - Representative Vick moved **HB 258** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, Price, Raser, Rome, Schrumpf, Shockley, Sliter, Smith, Somerville, Story, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 80

Noes: Barrett, Buzzas, E. Clark, Devlin, Eggers, Gallik, Haines, Harris, Hurdle, Juneau, Kaufmann, Lee, Lehman, K. Peterson, Rice, Ripley, Schmidt, Steinbeisser, Thomas.  
Total 19

Voted Absentee: Bookout-Reinicke, Mangan, Witt, Ayes.

Excused: None.  
Total 0

Absent or not voting: Masolo.  
Total 1

**HB 263** - Representative Jent moved **HB 263** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 97

Noes: Gallik, Olson.  
Total 2

Voted Absentee: Bookout-Reinicke, Mangan, Witt, Ayes.

Excused: None.  
Total 0

Absent or not voting: Lewis.  
Total 1

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**HB 268** - Representative Ripley moved **HB 268** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 95

Noes: Adams, Forrester, McCann, Wanzenried.

Total 4

Voted Absentee: Bookout-Reinicke, Mangan, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: Masolo.

Total 1

**HB 276** - Representative K. Peterson moved **HB 276** do pass.

**HB 276** - Representative Gallus moved **HB 276**, second reading copy, be amended as follows :

1. Page 5, line 27.

**Following:** "not"

**Strike:** "be less than"

**Insert:** "exceed"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Bixby, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fritz, Fuchs, Gallik, Gallus, Gillan, Golie, Haines, Himmelberger, Holden, Jackson, Jacobson, Jayne, Juneau, Kasten, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Masolo, Matthews, McCann, Musgrove, Olson, Pattison, Price, Rice, Ripley, Rome, Schrupf, Shockley, Smith, Somerville, Steinbeisser, Story, Tramelli, Tropila, Vick, Waitschies, Wanzenried, Wolery.

Total 62

Noes: Barrett, Bitney, R. Brown, Clancy, E. Clark, Curtiss, Cyr, Davies, Fisher, Forrester, Galvin-Halcro, Gutsche, Harris, Hedges, Hurdle, Jent, Kaufmann, Keane, Lewis, Lindeen, McKenney, Mood, Newman, Noennig, A. Peterson, K. Peterson, Raser, Schmidt, Sliter, Thomas, Waddill, Walters, Whitaker, Younkin, Mr. Speaker.

Total 35

Excused: Bookout-Reinicke, Mangan, Witt.

Total 3

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Absent or not voting: None.  
Total 0

Motion that **HB 276**, as amended, do pass. Motion failed as follows:

Ayes: Bales, Bixby, Bookout-Reinicke, Branae, R. Brown, Callahan, Carney, Clancy, Curtiss, Cyr, Dell, Devlin, Eggers, Facey, Fisher, Forrester, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Himmelberger, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lee, Lindeen, Mangan, McKenney, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Raser, Schruppf, Tramelli, Waddill, Witt, Wolery, Younkin.  
Total 46

Noes: Adams, Andersen, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, Buzzas, E. Clark, P. Clark, Davies, Erickson, Esp, Fritz, Fuchs, Haines, Hedges, Holden, Jackson, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, Mood, Olson, Pattison, Price, Rice, Ripley, Rome, Schmidt, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waitschies, Walters, Wanzenried, Whitaker, Mr. Speaker.  
Total 53

Voted Absentee: Bookout-Reinicke, Mangan, Witt, Ayes.

Excused: Dale.  
Total 1

Absent or not voting: None.  
Total 0

**HB 308** - Representative Younkin moved **HB 308** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Vick, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.  
Total 89

Noes: Adams, Buzzas, Davies, Esp, Himmelberger, Jackson, Lawson, Smith, Tropila, Waitschies, Mr. Speaker.  
Total 11

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**HB 317** - Representative K. Peterson moved **HB 317** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 98

Noes: Devlin.

Total 1

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: Laszloffy.

Total 1

**HB 342** - Representative Clancy moved **HB 342** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 97

Noes: Dell, McCann, Story.

Total 3

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 354** - Representative Lawson moved **HB 354** do pass. Motion carried as follows:

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Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 92

Noes: Adams, Balyeat, Esp, Himmelberger, Kasten, Rice, Vick, Waitschies.

Total 8

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 42** - Representative Masolo moved **HB 42** do pass.

**HB 42** - Representative Masolo moved **HB 42**, second reading copy, be amended as follows :

1. Page 1, line 21.

**Strike:** "or"

2. Page 1, line 22.

**Following:** "20-8-101"

**Insert:** "; or (iv) a state youth correctional facility, as defined in 41-5-103"

Amendment **adopted** as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.

Total 92

Noes: Adams, Himmelberger.

Total 2

Excused: Bookout-Reinicke, Dale, Mangan, Witt.

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Total 4

Absent or not voting: Gutsche, Mood.

Total 2

Motion that **HB 42**, as amended, do pass.

Representative Buzzas moved consideration of **HB 42**, as amended, be passed for the day. Motion carried.

Representative Sliter moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman R. Brown moved the Committee of the Whole report be adopted.

Representative K. Peterson made a substitute motion that **HB 276** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, Callahan, Carney, E. Clark, P. Clark, Curtiss, Cyr, Dell, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Gillan, Golie, Gutsche, Haines, Harris, Holden, Hurdle, Jackson, Jacobson, Jent, Kaufmann, Keane, Laslovich, Lee, Lindeen, Mangan, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Raser, Rice, Ripley, Schmidt, Schrupf, Shockley, Smith, Steinbeisser, Tramelli, Waddill, Waitschies, Wanzenried, Wolery, Younkin.

Total 60

Noes: Adams, Bixby, D. Brown, R. Brown, Brueggeman, Clancy, Dale, Davies, Devlin, Esp, Fuchs, Galvin-Halcro, Hedges, Himmelberger, Jayne, Juneau, Kasten, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, Mood, Pattison, Price, Rome, Sliter, Somerville, Story, Thomas, Tropila, Vick, Walters, Whitaker, Witt.

Total 38

Voted Absentee: Bookout-Reinicke, Mangan, Ayes; Dale, Witt, Noes.

Excused: None.

Total 0

Absent or not voting: Buzzas, Mr. Speaker.

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 55** failed as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lehman, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Newman, Noennig, A. Peterson, Raser, Schmidt, Smith, Somerville, Tramelli, Wanzenried, Wolery, Younkin.

Total 48



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Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lewis, Masolo, McCann, McKenney, Mood, Olson, Pattison, K. Peterson, Price, Rice, Ripley, Rome, Schrumpf, Shockley, Sliter, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Mr. Speaker.  
Total 52

Voted Absentee: Bookout-Reinicke, Mangan, Ayes; Dale, Witt, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 127** passed as follows:

Ayes: Andersen, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin.  
Total 88

Noes: Adams, Bales, Balyeat, R. Brown, Davies, Kasten, Pattison, Rice, Ripley, Vick, Witt, Mr. Speaker.  
Total 12

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Ayes; Witt, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 152** passed as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.  
Total 88

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Noes: Adams, Balyeat, Brueggeman, Davies, Fisher, Fuchs, Kasten, Laszloffy, Pattison, Sliter, Vick, Mr. Speaker.  
Total 12

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 174** passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.  
Total 97

Noes: Mr. Speaker.  
Total 1

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.  
Total 0

Absent or not voting: Bixby, Laible.  
Total 2

**HB 176** passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

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Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: Schrumpf.

Total 1

**HB 208** passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 216** passed as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Forrester, Gallik, Gillan, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Matthews, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Rome, Schmidt, Schrumpf, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 62

Noes: Balyeat, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Fisher, Fritz, Fuchs, Gallus, Galvin-Halcro, Golie, Gutsche, Hurdle, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lee, Lenhart, Lindeen, Mangan, Masolo, Musgrove, Newman, Raser, Ripley, Shockley, Smith, Tramelli, Wanzenried.

Total 38

Voted Absentee: Bookout-Reinicke, Dale, Witt, Ayes; Mangan, No.

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 246** passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 93

Noes: Eggers, Erickson, Gutsche, Harris, Hurdle, Kaufmann.  
Total 6

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.  
Total 0

Absent or not voting: Davies.  
Total 1

**HB 256** passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 96

Noes: Hurdle, Jayne, Kaufmann, Story.  
Total 4

Voted Absentee: Bookout-Reinicke, Dale, Mangan, Witt, Ayes.

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**MOTIONS**

Representative Sliter moved that **HB 408** be taken from the Committee on Local Government and rereferred to the Committee on Transportation. Motion carried.

Representative Sliter moved that **HB 425** be taken from the Committee on Human Services and rereferred to the Committee on Appropriations. Motion carried.

Representative Sliter moved that **HB 124** be taken from the Committee on Local Government and rereferred to the Select Committee on **HB 124**. Motion carried.

Representative Bales requested on **HB 308**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Jacobson requested on **HB 129**, third reading yesterday, that his vote be shown as yes. There being no objections, so ordered.

Representative Sliter requested on **HB 55 and 127**, third reading today, that the **Speaker's** vote be shown as no. There being no objections, so ordered.

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Shockley, Chairman):

1/30/2001

**HB 266**, introduced bill, be amended as follows:

1. Page 1, line 13.

**Strike:** "When"

**Insert:** "Within 30 days after"

2. Page 1, line 15 through line 16.

**Following:** "act" on line 15

**Insert:** "written"

**Strike:** "permit" on line 15 through "license" on line 16

**Insert:** "written statement of legal authority or within 30 days after the government act, whichever occurs last"

3. Page 1, line 18.

**Following:** "act"

**Insert:** "and the reason for the government act"

4. Page 1, line 20.

**Strike:** "taken or"

5. Page 1, line 22.

**Strike:** "clearly"

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6. Page 1, line 23.

**Insert:** "(4) An applicant may contest a written statement of legal authority in district court, is entitled to recover damages resulting from an improper statement of legal authority, and must be granted costs and attorney fees if the applicant prevails."

And, as amended, do pass. Report adopted.

**HB 286**, introduced bill, be amended as follows:

1. Page 1, line 26.

**Following:** "defendant"

**Insert:** "or that the defendant's right to a fair trial would be jeopardized if the family member is not excluded"

And, as amended, do pass. Report adopted.

**SB 40**, be concurred in. Report adopted.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 1:00 p.m., Wednesday, January 31, 2001. Motion carried.

House adjourned at 3:07 p.m.

MARILYN MILLER  
Chief Clerk of the House

DAN MCGEE  
Speaker of the House