

HOUSE JOURNAL
57TH LEGISLATURE
TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 1, 2001

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Curtiss and Gallus, excused. Quorum present.

MOTIONS

Representative Wanzenried moved that **HB 168** be taken from table in the Committee on Judiciary and rereferred to the Committee of the Whole tomorrow.

Representative Mood moved for cloture. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Dale, Davies, Dell, Devlin, Esp, Fisher, Fuchs, Haines, Harris, Hedges, Himmelberger, Holden, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, Masolo, McCann, McKenney, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Walters, Whitaker, Younkin, Mr. Speaker.

Total 54

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Mood, Newman, Price, Raser, Schmidt, Smith, Tramelli, Tropila, Waddill, Waitschies, Wanzenried, Witt, Wolery.

Total 43

Excused: Curtiss, Gallus.

Total 2

Absent or not voting: Matthews.

Total 1

Motion that **HB 168** be taken from table in the Committee on Judiciary and rereferred to the Committee of the Whole failed as follows:

Ayes: Balyeat, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lee, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Newman, K. Peterson, Raser, Schmidt, Shockley, Smith, Tramelli, Tropila, Vick, Waddill, Wanzenried.

Total 48

Noes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, Clancy, E. Clark, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Hedges, Himmelberger, Holden, Kasten, Laszloffy, Lawson, Lehman, Lewis, Masolo, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, Price, Rice, Ripley, Rome,

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Schrumpf, Sliter, Somerville, Steinbeisser, Story, Thomas, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin,
Mr. Speaker.
Total 49

Excused: Curtiss, Gallus.
Total 2

Absent or not voting: McCann.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/1/2001
Correctly printed: **HB 73, HB 272, HB 326, HB 336, HB 348, HB 349, HB 365.**
Correctly engrossed: **HB 42.**

BUSINESS AND LABOR (McKenney, Chairman): 1/30/1999
HB 348, introduced bill, be amended as follows:

1. Title, line 7 through line 9.

Strike: "CHANGING" on line 7 through "STORES;" on line 9

Strike: "SECTIONS" on line 9

Insert: "SECTION"

Strike: "AND 16-2-109" on line 9

2. Page 2, line 21.

Strike: "5.5%"

Strike: "the top 50% of"

Strike: "the greatest"

Insert: "a"

Following: "sales"

Insert: "of \$500,000 or more, 0.125% beginning July 1, 2001, 2% beginning July 1, 2003, and 3.5% beginning July 1, 2005"

Strike: "or"

3. Page 2, line 22.

Strike: "8.5%"

Strike: "the 50% of"

Strike: "the lowest"

Insert: "a"

Strike: "."

Insert: "of less than \$500,000, 1.25% beginning July 1, 2001, 4.5% beginning July 1, 2003, and 6.5% beginning July 1, 2005; or"

4. Page 2.

Following: line 22

Insert: "(iii) for a city with more than one agency liquor store, in lieu of the addition to a commission increase provided in subsection (4)(b)(i) or (4)(b)(ii), for each store in the city, an addition to its commission rate

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

equal to the increase granted the store with the lowest commission rate."

5. Page 6, line 7 through line 21.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 349, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "Title 2, chapter 2,"

Insert: "2-2-121 and 2-2-201"

And, as amended, do pass. Report adopted.

HB 379, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Following: "PROVIDE"

Strike: "AN" on line 5 through "PENALTY" on line 7

Insert: "REST PERIODS; PROVIDING THAT EMPLOYERS MAY NOT REQUIRE EMPLOYEES TO WORK MORE THAN 4 HOURS WITHOUT A REST PERIOD OF NOT LESS THAN 10 MINUTES; PROVIDING EXCEPTIONS"

2. Page 1, line 12.

Strike: "-- definition -- penalty"

3. Page 1, line 12 through line 14.

Strike: "An" on line 12 through "work" on line 14

Insert: "An employee may not be required to work more than 4 hours without a rest period of not less than 10 minutes. Rest periods must be accommodated within the reasonable flow of work"

4. Page 1, line 15 through line 18.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

5. Page 1, line 19.

Strike: "As" through "has"

Insert: "This section applies to an employer that employs"

6. Page 1.

Following: line 20

Insert: "(3) This section does not alter the terms, conditions, or practices contained in any collective bargaining agreement.

(4) This section does not apply to an individual subject to the provisions of the Motor Carrier Act (49 U.S.C. 31502) or the Railway Labor Act (45 U.S.C. 151)."

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

And, as amended, do pass. Report adopted.

HB 386, do pass. Report adopted.

EDUCATION (Masolo, Chairman): 2/1/2001
HB 65, do pass. Report adopted.
HB 140, do pass. Report adopted.

STATE ADMINISTRATION (Walters, Chairman): 1/31/2001
HB 326, introduced bill, be amended as follows:

1. Title, page 1, line 5 and line 6.
Strike: "ALLOWING" on line 5 through ";" on line 6

2. Title, page 1, line 6.
Strike: "SECTIONS"
Insert: "SECTION"

3. Title, page 1, line 7.
Strike: "AND 13-12-202"

4. Page 2, line 13 through line 23.
Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/31/2001

SB 27, introduced by R. Holden
SB 35, introduced by Bishop
SB 56, introduced by McNutt
SB 115, introduced by R. Holden
SB 168, introduced by Stonington
SB 269, introduced by McNutt

FIRST READING AND COMMITMENT OF BILLS

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

HB 456, introduced by Gutsche, Bishop, Bohlinger, Franklin, Lenhart, Nelson, A. Peterson, B. Thomas, referred to Human Services.
HB 457, introduced by Haines, referred to Natural Resources.
HB 458, introduced by Barrett, Bales, Devlin, K. Peterson, referred to Business and Labor.
HB 459, introduced by Mood, Beck, Berry, Bitney, Brueggeman, Crismore, Ekegren, Ellis, Fisher, Grimes, Grosfield, Haines, Hargrove, R. Holden, Kasten, Laible, McGee, McNutt, Mohl, Pattison, Sliter, B. Thomas, Younkin, referred to Natural Resources.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

- HB 460**, introduced by A. Peterson, referred to Natural Resources.
- HB 461**, introduced by Shockley, referred to Transportation.
- HB 462**, introduced by Witt, referred to Natural Resources.
- HB 463**, introduced by Lee, Buzzas, Callahan, Clancy, Cocchiarella, Doherty, Gallus, Grimes, Halligan, Kitzenberg, Laslovich, Mangan, Roush, Toole, referred to Business and Labor.
- HB 464**, introduced by Lee, referred to Agriculture.
- HB 465**, introduced by Kaufmann, Bohlinger, Christiaens, Ellingson, Facey, Halligan, Hurdle, Lee, Toole, Wanzenried, Waterman, referred to Judiciary.
- HB 466**, introduced by Erickson, Bixby, P. Clark, Eggers, Gutsche, Harris, Juneau, Lee, Tester, Wanzenried, referred to Transportation.
- HB 467**, introduced by Wanzenried, Carney, Erickson, Harris, referred to Federal Relations, Energy, and Telecommunications.
- HB 468**, introduced by Galvin-Halcro, referred to Appropriations.
- HB 469**, introduced by Rice, Adams, Andersen, Barrett, D. Brown, Callahan, Clancy, P. Clark, Cyr, Davies, Eggers, Esp, Facey, L. Holden, Jacobson, Jent, Lee, Lehman, Lewis, Lindeen, Matthews, McGee, Mood, Newman, Raser, Ripley, Schrupf, Tash, Waitschies, Whitaker, referred to Local Government.
- HB 470**, introduced by Keane, referred to Local Government.
- HB 471**, introduced by K. Peterson, Bohlinger, referred to Judiciary.
- HB 472**, introduced by Rome, referred to State Administration.
- HB 473**, introduced by Younkin, Beck, Berry, Bitney, D. Brown, Cole, Crismore, Dale, Ekegren, Ellis, Forrester, Grosfield, Haines, Hargrove, R. Holden, Laible, Matthews, McGee, McNutt, Mohl, Mood, Sliter, Tash, F. Thomas, referred to Natural Resources.
- HB 474**, introduced by Sliter, referred to Federal Relations, Energy, and Telecommunications.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 16, introduced by Haines, Bishop, P. Clark, Franklin, referred to Fish, Wildlife and Parks.

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

- SB 1**, introduced by Grimes, referred to Judiciary.
- SB 2**, introduced by Stonington (by request of the Revenue and Taxation Interim Committee), referred to Taxation.
- SB 4**, introduced by Grimes (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.
- SB 6**, introduced by Cole (by request of the Environmental Quality Council), referred to Natural Resources.
- SB 7**, introduced by Cole (by request of the Environmental Quality Council), referred to Natural Resources.
- SB 8**, introduced by Waterman, referred to State Administration.
- SB 10**, introduced by Stonington (by request of the Legislative Council), referred to State Administration.
- SB 11**, introduced by Shea (by request of the Legislative Council), referred to State Administration.
- SB 12**, introduced by Nelson, referred to Business and Labor.
- SB 20**, introduced by Halligan (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.
- SB 23**, introduced by Halligan, referred to Business and Labor.
- SB 26**, introduced by R. Holden, referred to Judiciary.
- SB 28**, introduced by Halligan (by request of the Department of Public Health and Human Services), referred to Human Services.
- SB 29**, introduced by McNutt (by request of the Department of Public Health and Human Services), referred to Judiciary.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

- SB 30**, introduced by Mahlum (by request of the Department of Commerce), referred to Business and Labor.
- SB 31**, introduced by Berry (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- SB 32**, introduced by Shea (by request of the Department of Labor and Industry), referred to Business and Labor.
- SB 34**, introduced by Johnson (by request of the Department of Commerce), referred to Human Services.
- SB 38**, introduced by Grimes (by request of the Department of Public Health and Human Services), referred to Human Services.
- SB 41**, introduced by Roush, referred to Local Government.
- SB 42**, introduced by McCarthy (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- SB 44**, introduced by Bishop (by request of the Department of Revenue), referred to Taxation.
- SB 45**, introduced by Ellis (by request of the Department of Revenue), referred to Taxation.
- SB 51**, introduced by Hargrove (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to State Administration.
- SB 52**, introduced by Roush (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to Human Services.
- SB 53**, introduced by Roush (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to Transportation.
- SB 54**, introduced by Roush (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to Fish and Game.
- SB 55**, introduced by Cole (by request of the Department of Agriculture), referred to Agriculture.
- SB 58**, introduced by Halligan (by request of the Department of Transportation), referred to Transportation.
- SB 59**, introduced by Nelson, referred to Business and Labor.
- SB 60**, introduced by McCarthy, referred to Education.
- SB 61**, introduced by Johnson (by request of the Department of Administration), referred to Taxation.
- SB 63**, introduced by Tester, referred to Judiciary.
- SB 74**, introduced by McNutt, referred to Business and Labor.
- SB 75**, introduced by Jergeson (by request of the Department of Natural Resources and Conservation), referred to State Administration.
- SB 85**, introduced by Tester, referred to Judiciary.
- SB 89**, introduced by Waterman, referred to State Administration.
- SB 91**, introduced by Tash (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- SB 92**, introduced by Halligan (by request of the Department of Environmental Quality), referred to Natural Resources.
- SB 93**, introduced by Halligan, referred to Business and Labor.
- SB 102**, introduced by Cole (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- SB 103**, introduced by Zook (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- SB 104**, introduced by Sprague (by request of the Department of Fish, Wildlife and Parks), referred to Fish, Wildlife and Parks.
- SB 105**, introduced by Mahlum (by request of the Department of Fish, Wildlife and Parks), referred to Fish, Wildlife and Parks.
- SB 106**, introduced by Sprague, referred to Business and Labor.
- SB 108**, introduced by Franklin (by request of the Legislative Finance Committee), referred to Human Services.
- SB 112**, introduced by Nelson (by request of the Legislative Audit Committee), referred to Business and Labor.
- SB 113**, introduced by Nelson (by request of the Department of Justice), referred to Judiciary.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

- SB 114**, introduced by Taylor, referred to State Administration.
- SB 120**, introduced by Tester (by request of the Legislative Audit Committee), referred to State Administration.
- SB 122**, introduced by Shea (by request of the Business and Labor Interim Committee), referred to Business and Labor.
- SB 123**, introduced by Bohlinger, referred to State Administration.
- SB 130**, introduced by F. Thomas, referred to Education.
- SB 132**, introduced by Halligan, referred to Judiciary.
- SB 133**, introduced by Jergeson (by request of the Department of Administration), referred to Taxation.
- SB 135**, introduced by Waterman (by request of the Legislative Finance Committee), referred to Human Services.
- SB 142**, introduced by Sprague (by request of the Department of Revenue), referred to Business and Labor.
- SB 143**, introduced by Ekegren, Cole, Hedges, Keane, Witt (by request of the Department of Agriculture), referred to Agriculture.
- SB 145**, introduced by Berry (by request of the State Compensation Insurance Fund), referred to Business and Labor.
- SB 146**, introduced by Keenan (by request of the Department of Environmental Quality), referred to Natural Resources.
- SB 147**, introduced by Keenan (by request of the Department of Environmental Quality), referred to Natural Resources.
- SB 148**, introduced by Tester, referred to State Administration.
- SB 149**, introduced by Grosfield (by request of the State Library Commission), referred to Local Government.
- SB 150**, introduced by Hargrove (by request of the Department of Transportation), referred to Transportation.
- SB 152**, introduced by Mahlum (by request of the Department of Transportation), referred to Transportation.
- SB 153**, introduced by O'Neil (by request of the Department of Transportation), referred to Transportation.
- SB 156**, introduced by Cocchiarella, referred to Business and Labor.
- SB 157**, introduced by Cocchiarella, referred to Business and Labor.
- SB 159**, introduced by Grosfield (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- SB 164**, introduced by McNutt (by request of the Department of Labor and Industry), referred to Business and Labor.
- SB 165**, introduced by Cole, Beck, McNutt (by request of the Department of Agriculture), referred to Agriculture.
- SB 166**, introduced by Stonington (by request of the Department of Public Health and Human Services), referred to Human Services.
- SB 170**, introduced by Halligan (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.
- SB 172**, introduced by Johnson (by request of the Office of Budget and Program Planning), referred to Taxation.
- SB 175**, introduced by Glaser (by request of the Revenue and Taxation Interim Committee), referred to Local Government.
- SB 180**, introduced by Beck (by request of the Legislative Council), referred to Legislative Administration.
- SB 182**, introduced by Cobb, referred to Education.
- SB 184**, introduced by Cobb, referred to State Administration.
- SB 185**, introduced by Cobb, referred to State Administration.
- SB 189**, introduced by McNutt, referred to Business and Labor.
- SB 192**, introduced by DePratu, referred to Taxation.
- SB 194**, introduced by Nelson, referred to Human Services.
- SB 199**, introduced by Taylor, referred to Local Government.
- SB 203**, introduced by Cole, Cocchiarella, Dale, Forrester, Gillan, Lewis, Lindeen, Rome, Roush, Tester, Vick, Wanzenried, referred to Transportation.
- SB 204**, introduced by Cobb, referred to Judiciary.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

SB 205, introduced by Cobb, referred to State Administration.
SB 209, introduced by Waterman, referred to Judiciary.
SB 211, introduced by Shea, referred to Business and Labor.
SB 214, introduced by Tash, referred to Education.
SB 217, introduced by Cobb, referred to Judiciary.
SB 228, introduced by Ekegren, referred to State Administration.
SB 229, introduced by Cocchiarella, Buzzas, Ellingson, Haines, Halligan, Harris, Mahlum, Shea, Stonington, F. Thomas, Toole, referred to Judiciary.
SB 234, introduced by Tester, Bales, Berry, Christiaens, Cole, Doherty, Ellingson, Esp, Gillan, Grosfield, Gutsche, Halligan, Jergeson, Lee, Lindeen, Mangan, Mohl, Nelson, Price, Roush, Shea, F. Thomas, Wells, referred to Federal Relations, Energy, and Telecommunications.
SB 235, introduced by Cocchiarella, Beck, Doherty, Gallus, Glaser, Haines, Hargrove, Harrington, Keane, Lewis, Mahlum, Mood, B. Thomas, F. Thomas, Tropila, referred to State Administration.
SB 236, introduced by Grimes, Christiaens, referred to State Administration.
SB 238, introduced by Tester, Bishop, P. Clark, Facey, Franklin, Fuchs, Gallus, Laszloffy, Ripley, Sprague, Tash, referred to Fish, Wildlife and Parks.
SB 252, introduced by Cocchiarella, referred to Business and Labor.
SB 254, introduced by Halligan (by request of the Attorney General), referred to Judiciary.

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

SJR 2, introduced by Waterman (by request of the Legislative Finance Committee), referred to Judiciary.
SJR 5, introduced by Roush (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to State Administration.

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

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

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

HB 95 - Representative Matthews moved **HB 95** do pass. Motion carried as follows:

Ayes: Bales, Barrett, Bixby, Bookout-Reinicke, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Eggers, Erickson, Facey, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Olson, A. Peterson, K. Peterson, Price, Raser, Ripley, Schmidt, Smith, Steinbeisser, Thomas, Tramelli, Tropila, Wanzenried, Witt, Wolery.

Total 53

Noes: Adams, Andersen, Balyeat, Bitney, Branae, D. Brown, R. Brown, Brueggeman, Clancy, Curtiss, Dale, Davies, Dell, Esp, Fisher, Forrester, Haines, Himmelberger, Holden, Jackson, Jayne, Kasten, Laible, Laslovich, Laszloffy, Lee, Lehman, Lewis, Masolo, McKenney, Mood, Noennig, Pattison, Rice, Rome, Schrupf, Shockley, Sliter, Somerville, Story, Vick, Waddill, Waitschies, Walters, Whitaker, Younkin, Mr. Speaker.

Total 47

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Voted Absentee: Gallus, Aye; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 224 - Representative Hurdle moved **HB 224** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, Clancy, P. Clark, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Smith, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Wolery.

Total 66

Noes: Adams, Balyeat, Barrett, Bitney, Brueggeman, E. Clark, Curtiss, Cyr, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Hedges, Himmelberger, Jackson, Kasten, Laible, Laszloffy, Lawson, Lewis, McKenney, Mood, Pattison, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Witt, Younkin, Mr. Speaker.

Total 34

Voted Absentee: Gallus, Aye; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 238 - Representative B. Thomas moved **HB 238** 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, Gallik, Gallus, Galvin-Halcro, Gillan, 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, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: Golie.

Total 1

Voted Absentee: Curtiss, Gallus, Ayes.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 325 - Representative Laible moved **HB 325** 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, 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, Schrupf, 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: Curtiss, Gallus, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 46 - Representative Dale moved **HB 46** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: D. Brown.
Total 1

Voted Absentee: Curtiss, Gallus, Ayes.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 147 - Representative Dale moved **HB 147** 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, 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, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Curtiss, Gallus, Ayes.

Excused: None.
Total 0

Absent or not voting: McCann, Sliter.
Total 2

HB 189 - Representative Eggers moved **HB 189** do pass. Motion carried as follows:

Ayes: Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, A. Peterson, K. Peterson, Raser, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Tramelli, Tropila, Waddill, Wanzenried.
Total 51

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, Masolo, McKenney, Mood, Noennig, Olson, Pattison, Price, Rice, Ripley, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 49

Voted Absentee: Gallus, Aye; Curtiss, No.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 329 - Representative Somerville moved **HB 329** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, 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, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Juneau, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Mangan, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Sliter, Smith, Somerville, Thomas, Tramelli, Tropila, Waddill, Waitschies, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 81

Noes: Adams, Brueggeman, Davies, Fuchs, Jayne, Jent, Kasten, Kaufmann, Laszloffy, Lewis, Lindeen, McCann, Pattison, Shockley, Steinbeisser, Story, Vick, Walters, Mr. Speaker.
Total 19

Voted Absentee: Curtiss, Gallus, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 369 - Representative Laslovich moved **HB 369** do pass.

HB 369 - Representative Laslovich moved **HB 369**, second reading copy, be amended as follows :

1. Page 1, line 17.
Strike: "more"
Strike: "OR LESS"
Insert: "other"

Amendment **adopted** 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, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, 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, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Total 94

Noes: Adams, Mangan, Shockley, Vick.

Total 4

Excused: Curtiss, Gallus.

Total 2

Absent or not voting: None.

Total 0

Motion that **HB 369**, as amended, do pass 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, 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, Schrupf, 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: Curtiss, Gallus, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 1 - Representative McCann moved **HJR 1** be adopted. Motion carried as follows:

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, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, 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, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 94

Noes: Adams, Balyeat, Holden, Kasten, Pattison, Vick.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Total 6

Voted Absentee: Curtiss, Gallus, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 258 - Representative Vick moved **HB 258** do pass.

HB 258 - Representative Vick moved **HB 258**, second reading copy, be amended as follows :

1. Title, lines 7 and 8.

Strike: "APPROPRIATING MONEY" on line 7

Following: "ACCOUNT" on line 7

Strike: remainder of line 7 through "RANGES;" on line 8

2. Page 3, line 18 through line 21.

Strike: section 1 in its entirety

Renumber: subsequent sections

Amendment **adopted** 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, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 95

Noes: Bixby, Juneau.

Total 2

Excused: Curtiss, Gallus.

Total 2

Absent or not voting: Schmidt.

Total 1

Motion that **HB 258**, as amended, do pass carried 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, Erickson,

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 91

Noes: Bixby, Devlin, Eggers, Gutsche, Juneau, Mangan, Olson, Smith.

Total 8

Voted Absentee: Curtiss, Gallus, Ayes.

Excused: None.

Total 0

Absent or not voting: Esp.

Total 1

HB 47 - Representative Price moved **HB 47** do pass.

HB 47 - Representative Facey moved **HB 47**, second reading copy, be amended.

Representative Price moved consideration of **HB 47** be passed for the day. Motion carried.

Representative R. Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Sliter moved the Committee of the Whole report be adopted. Report adopted 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, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Curtiss, Gallus.

Total 2

Absent or not voting: None.

Total 0

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 42 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, 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, 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 88

Noes: Bixby, Buzzas, Erickson, Gillan, Golie, Gutsche, Juneau, Kaufmann, Raser, Wanzenried.

Total 10

Voted Absentee: Curtiss, Gallus, Ayes.

Excused: None.

Total 0

Absent or not voting: Esp, Kasten.

Total 2

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Curtiss, Chairman): 2/1/2001

HB 242, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "REVISING THE DEFINITION OF "PUBLIC UTILITY";"

2. Title, lines 6 and 7.

Strike: "THE PUBLIC" on line 6 through "RULES;" on line 7

Insert: "A PRIVATE RIGHT OF ACTION; AND" on line 7

Following: "PENALTY" on line 7

Strike: ";"

3. Title, lines 8 and 9.

Strike: line 8 in its entirety through "DATES" on line 9

4. Page 1, line 23 through line 25.

Following: "radios" on line 23

Strike: the remainder of line 23 through "prohibition" on line 25

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Insert: "and to provide a private right of action for the enforcement of the prohibition"

5. Page 1, line 29 through page 2, line 19.

Strike: section 1 in its entirety

Renumber: subsequent sections

6. Page 2, line 22.

Strike: "commission to adopt rules"

Insert: "private right of action"

7. Page 2, lines 24 and 25.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

8. Page 2, lines 26 and 27.

Strike: ", the rules of the commission, or an order issued by the commission"

9. Page 2, line 28 through page 3, line 1.

Strike: "paid" on page 2, line 28 through "fund" on page 3, line 1

Insert: "collected as provided in this section"

10. Page 3, line 4 through page 3, line 8.

Strike: subsections (5) and (6) in their entirety

Insert: "(4) An individual may bring a civil action in the district court of a county in which the individual resides to collect the civil penalty provided for in this section, prevent the operation or continued operation of a citizens band radio that has not been authorized by the federal communications commission, or both. The action may be brought pursuant to this section and Title 27, chapter 19, and this section or pursuant to other applicable law.

(5) Proof of operation, ownership, or other control over the operation of the radio and lack of authorization by the federal communications commission constitute proof of a violation of subsection (1).

(6) An individual who substantially prevails in an action brought pursuant to this section must be awarded costs and reasonable attorney fees."

11. Page 3, line 10.

Strike: "2"

Insert: "1"

12. Page 3, line 11.

Strike: "69" in two places

Insert: "27, chapter 1, part 7," in two places

Strike: "2"

Insert: "1"

13. Page 3, line 13 through line 15.

Strike: section 4 in its entirety

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

HB 271, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Strike: "45" on line 8

Insert: "60"

Following: "DAYS;" on line 8

Strike: remainder of line 8 through "AGREEMENT;" on line 9

2. Page 1, line 17.

Strike: "45"

Insert: "60"

3. Page 1, lines 27 and 28.

Strike: subsection 3 in its entirety

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Noennig, Chairman):

2/1/2001

HB 179, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "THE AVERAGE HOMEOWNER"

Insert: "A HOME VALUED AT \$100,000"

2. Title, page 1, line 8.

Strike: "OF A STATED"

Insert: "WITH THAT"

3. Page 1, line 29.

Following: "be"

Insert: "prepared by the governing body and"

4. Page 1, line 30 through page 2, line 1.

Following: "on" on line 30

Strike: remainder of line 30 through "homeowner" on page 2, line 1

Insert: "a home valued at \$100,000"

5. Page 2, line 2.

Following: "residence of"

Strike: "of a stated"

Insert: "with that"

6. Page 4, line 13.

Strike: "the average homeowner"

Insert: "a home valued at \$100,000"

7. Page 4, line 14.

Strike: "of a stated"

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

Insert: "with that"

8. Page 20, line 9.

Strike: "the average homeowner"

Insert: "a home valued at \$100,000"

9. Page 20, line 10.

Strike: "of a stated"

Strike: "with that"

And, as amended, do pass. Report adopted.

HB 210, introduced bill, be amended as follows:

1. Page 1, line 18.

Strike: "board is"

Insert: "commissioners are"

2. Page 1, line 19.

Strike: "its"

Insert: "their"

3. Page 1, line 20.

Strike: "board"

Insert: "commissioners"

4. Page 1, line 21.

Strike: "its"

Insert: "their"

And, as amended, do pass. Report adopted.

HB 257, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "CLAIM;"

Insert: "REQUIRING THE COUNTY TO PAY COSTS AND ATTORNEY FEES ASSOCIATED WITH AN APPEAL OF A DISAPPROVED CLAIM THAT IS SUBSTANTIALLY JUSTIFIED EVEN IF THE APPEAL IS UNSUCCESSFUL;"

2. Page 2, line 2.

Following: "days"

Insert: "and the county is responsible for paying all costs and attorney fees associated with the appeal by the auditor as long as the appeal is substantially justified, even if the appeal is unsuccessful."

And, as amended, do pass. Report adopted.

HB 298, do pass. Report adopted.

HOUSE JOURNAL
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 1, 2001

TRANSPORTATION (Somerville, Chairman):

2/1/2001

HB 219, do pass. Report adopted.

HB 375, do pass. Report adopted.

HB 391, introduced bill, be amended as follows:

1. Page 1, line 27.

Strike: "adjacent to or away from"

Insert: "that is not adjacent to"

2. Page 1, line 28.

Following: "located"

Insert: "or move as far away from the authorized emergency vehicle as possible"

And, as amended, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 31**: Bixby, Branae, Buzzas, Callahan, Carney, Christiaens, Cyr, Dell, Doherty, Eggers, Ellingson, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harrington, Hurdle, Jayne, Jent, Kaufmann, Keane, Laslovich, Lee, Lenhart, Mangan, Matthews, Musgrove, Nelson, Newman, Pease, Raser, Roush, Schmidt, Smith, Tramelli, Tropila, and Wanzenried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Younkin moved that the House adjourn until 1:00 p.m., Friday, February 2, 2001. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House