

**HOUSE JOURNAL
57TH LEGISLATURE
THIRTIETH LEGISLATIVE DAY**

Helena, Montana
February 6, 2001

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

Representative Holden led the House in singing Happy Birthday to Representative Buzzas.

Mr. Speaker introduced this weeks pages:

Heather Henry, Billings
Regan Clancy, Helena
Emily Fuller, Victor
Mary Anne Anderson, Big Timber
Thomas Steele, Arlee
Danelle Feddes, Manhattan
Kristin Hegreberg, Townsend
Casey Berger, Somers
Amanda Determan, Winston

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/6/2001
Correctly printed: **HB 306, HB 351.**
Correctly engrossed: **HB 30, HB 118, HB 140, HB 157, HB 190, HB 362, HB 381.**
Correctly enrolled: **HB 99, HB 194.**
Signed by the Speaker at 6:45 p.m., February 5, 2001: **HB 24, HB 51, HB 91, HB 115, HB 117.**
Signed by the Speaker at 4:25 p.m., February 6, 2001: **HB 99, HB 194.**
Delivered to the Governor for her approval at 4:10 p.m., February 6, 2001: **HB 24, HB 26, HB 51, HB 91, HB 115, HB 117.**

BUSINESS AND LABOR (McKenney, Chairman): 2/6/2001
HB 399, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "INTERNAL SERVICE"

Insert: "LIQUOR ENTERPRISE"

2. Title, line 9.

Following: "16-2-108,"

Strike: "AND"

Following: "16-4-207,"

Insert: "AND 16-4-401,"

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3. Page 2, line 15.

Strike: "for the operation of liquor sales"

Insert: "associated with the sale of liquor"

4. Page 2, lines 23 and 24.

Strike: "internal service fund"

Insert: "liquor enterprise fund"

Strike: "The" on line 23 through "." on line 24

Insert: "(3) The department shall pay from its account in the liquor enterprise fund:

- (a) expenses associated with administering liquor licensing and fee collection; and
- (b) expenses associated with investigations pursuant to its agreement with the department of justice.
- (4) The net proceeds of the liquor enterprise fund must be transferred to the general fund."

5. Page 5.

Following: line 2

Insert: "**Section 4.** Section 16-4-401, MCA, is amended to read:

"16-4-401. License as privilege -- criteria for decision on application. (1) A license under this code is a privilege that the state may grant to an applicant and is not a right to which any applicant is entitled.

(2) Except as provided in subsection (6), in the case of a license that permits on-premises consumption, the department shall find in every case in which it makes an order for the issuance of a new license or for the approval of the transfer of a license that:

- (a) in the case of an individual applicant:
 - (i) the applicant will not possess an ownership interest in more than one establishment licensed under this chapter for all-beverages sales;
 - (ii) the applicant does not possess an ownership interest in an agency liquor store as defined in 16-1-106;
 - (iii) the applicant or any member of the applicant's immediate family is without financing from or any affiliation to a manufacturer, importer, bottler, or distributor of alcoholic beverages;
 - (iv) the applicant is a resident of the state and is qualified to vote in a state election;
 - (v) the applicant's past record and present status as a purveyor of alcoholic beverages and as a business person and citizen demonstrate that the applicant is likely to operate the establishment in compliance with all applicable laws of the state and local governments; and
 - (vi) the applicant is not under 19 years of age; and
 - (b) in the case of a corporate applicant:
 - (i) the owners of at least 51% of the outstanding stock meet the requirements of subsection (2)(a)(iv);
 - (ii) each owner of 10% or more of the outstanding stock meets the requirements for an individual applicant listed in subsection (2)(a);
 - (iii) each individual who has control over the operation of the license ~~or shares in the profits or liabilities of the license~~ meets the requirements for an individual applicant listed in subsection (2)(a);
 - (iv) each person who shares in the profits or liabilities of a license meets the requirements for an individual applicant listed in subsection (2)(a). This subsection (2)(b)(iv) does not apply to a shareholder of a corporation who owns less than 10% of the outstanding stock in that corporation.
 - (v) ~~(v)~~ the corporation is authorized to do business in Montana; and
 - (vi) ~~(vi)~~ in the case of a corporation not listed on a national stock exchange, each owner of stock meets the requirements of subsections (2)(a)(i) and (2)(a)(ii); and
 - (c) in the case of any other business entity as applicant:
 - (i) if the applicant consists of more than one individual, all must meet the requirements of subsection (2)(a);
- and
- (ii) if the applicant consists of more than one corporation, all must meet the requirements of subsection (2)(b).

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(3) In the case of a license that permits only off-premises consumption, the department shall find in every case in which it makes an order for the issuance of a new license or for the approval of the transfer of a license that:

(a) in the case of an individual applicant:

(i) the applicant will not possess an ownership interest in more than one establishment licensed under this chapter for all-beverages sales;

(ii) the applicant does not possess an ownership interest in an agency liquor store as defined in 16-1-106;

(iii) the applicant or any member of the applicant's immediate family is without financing from or any affiliation to a manufacturer, importer, bottler, or distributor of alcoholic beverages;

(iv) the applicant has not been convicted of a felony or, if the applicant has been convicted of a felony, the applicant's rights have been restored;

(v) the applicant's past record and present status as a purveyor of alcoholic beverages and as a business person and citizen demonstrate that the applicant is likely to operate the establishment in compliance with all applicable laws of the state and local governments; and

(vi) the applicant is not under 19 years of age; and

(b) in the case of a corporate applicant:

(i) the owners of at least 51% of the outstanding stock meet the requirements of subsection (3)(a)(iv);

(ii) each owner of 10% or more of the outstanding stock meets the requirements for an individual listed in subsection (3)(a); and

(iii) the corporation is authorized to do business in Montana; and

(c) in the case of any other business entity as applicant:

(i) if the applicant consists of more than one individual, all must meet the requirements of subsection (3)(a); and

(ii) if the applicant consists of more than one corporation, all must meet the requirements of subsection (3)(b).

(4) In the case of a license that permits the manufacture, importing, or wholesaling of an alcoholic beverage, the department shall find in every case in which it makes an order for the issuance of a new license or for the approval of the transfer of a license that:

(a) in the case of an individual applicant:

(i) the applicant has no ownership interest in any establishment licensed under this chapter for retail alcoholic beverages sales;

(ii) the applicant does not possess an ownership interest in an agency liquor store as defined in 16-1-106;

(iii) the applicant has not been convicted of a felony or, if the applicant has been convicted of a felony, rights have been restored;

(iv) the applicant's past record and present status as a purveyor of alcoholic beverages and as a business person and citizen demonstrate that the applicant is likely to operate the establishment in compliance with all applicable laws of the state and local governments;

(v) the applicant is not under 19 years of age; and

(vi) an applicant for a wholesale license is neither a manufacturer of an alcoholic beverage nor is owned or controlled by a manufacturer of an alcoholic beverage; and

(b) in the case of a corporate applicant:

(i) the owners of at least 51% of the outstanding stock meet the requirements of subsection (4)(a)(iii);

(ii) each owner of 10% or more of the outstanding stock meets the requirements for an individual listed in subsection (4)(a);

(iii) an applicant for a wholesale license is neither a manufacturer of an alcoholic beverage nor is owned or controlled by a manufacturer of an alcoholic beverage; and

(iv) the corporation is authorized to do business in Montana; and

(c) in the case of any other business entity as applicant:

(i) if the applicant consists of more than one individual, all must meet the requirements of subsection (4)(a); and

(ii) if the applicant consists of more than one corporation, all must meet the requirements of subsection (4)(b).

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(5) In the case of a corporate applicant, the requirements of subsections (2)(b), (3)(b), and (4)(b) apply separately to each class of stock.

(6) The provisions of subsection (2) do not apply to an applicant for or holder of a license pursuant to 16-4-302.""

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 458, do pass. Report adopted.

SB 32, be concurred in. Report adopted.

SB 93, be concurred in. Report adopted.

SB 189, be concurred in. Report adopted.

EDUCATION (Masolo, Chairman):

2/6/2001

HB 232, do pass. Report adopted.

NATURAL RESOURCES (Younkin, Chairman):

2/5/2001

HB 126, introduced bill, be amended as follows:

1. Title, line 11.

Following: "QUALITY;"

Insert: "CLARIFYING PERMIT DENIAL HEARING REQUIREMENTS UNDER THE METAL MINE RECLAMATION LAWS;"

2. Title, line 13.

Strike: "AND"

3. Title, line 15.

Following: "82-4-338,"

Insert: "82-4-353,"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 6, line 21.

Following: "part"

Strike: "or" through "board"

5. Page 7, lines 27 and 28.

Following: "part"

Strike: "or" through "board"

6. Page 8, line 12.

Following: "civil"

Strike: "an administrative"

Insert: "a civil"

7. Page 8, line 13.

Following: "civil"

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Strike: "administrative"
Insert: "civil"

8. Page 8, line 16.

Following: "a"
Strike: "an administrative"
Insert: "a"

9. Page 8, line 23.

Following: "civil"
Strike: "administrative"
Insert: "civil"

10. Page 12.

Following: line 1
Insert: "**Section 12.** Section 82-4-353, MCA, is amended to read:

"82-4-353. Administrative remedies -- notice -- appeals -- parties. (1) Upon receipt of an application for an operating permit, the department shall provide notice of the application by publication in a newspaper of general circulation in the area to be affected by the operation. The notice ~~shall~~ must be published once a week for 3 successive weeks.

(2) An applicant for a permit or license, or for an amendment or revision to a permit or license, may request a hearing on a denial of the application by submitting a written request for a hearing within 30 days of receipt of written notice of the denial. The request must state the reason that the hearing is requested.

~~(2)(3)~~ All hearings and ~~appeal procedures~~ appeals under 82-4-337(3), 82-4-338(2), 82-4-341(7) and (8), 82-4-361, 82-4-362, and subsection (2) of this section shall be must be conducted by the board in accordance with the Montana Administrative Procedure Act. Any person whose interests may be adversely affected as a result of an action taken pursuant to this part may become a party to any proceeding held ~~hereunder~~ under this part upon a showing that ~~such~~ the person is capable of adequately representing the interests claimed.

~~(3)(4)~~ As used in this section, "person" means any individual, corporation, partnership, or other legal entity."
Renumber: subsequent sections

11. Page 12, line 5.

Following: "civil"
Insert: "civil"

12. Page 12, line 6.

Following: "civil"
Insert: "civil"

13. Page 12, line 17.

Following: "civil"
Strike: "assess an administrative"
Insert: "institute a civil"
Following: "action"
Insert: "action"

14. Page 13, line 22.

Following: "civil"

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Strike: "an administrative"
Insert: "a civil"

15. Page 15, line 22.

Following: "civil"
Strike: "an administrative"
Insert: "a civil"

16. Page 15, line 24.

Following: "civil"
Strike: "administrative"
Insert: "civil"

17. Page 15, line 27.

Following: "civil"
Strike: "assess an administrative"
Insert: "institute a civil"
Following: "action"
Insert: "action"

18. Page 16.

Following: line 25
Insert: "NEW SECTION. Section 18. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Insert: "NEW SECTION. Section 19. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 320, do pass. Report adopted.

HB 444, do pass. Report adopted.

STATE ADMINISTRATION (Walters, Chairman):

2/6/2001

HB 281, introduced bill, be amended as follows:

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

Following: "UNLESS"
Strike: remainder of line 7 through "INFORMATION" on line 8
Insert: "THE WEBSITE OPERATOR COMPLIES WITH CERTAIN PROVISIONS"

2. Page 1, line 12.

Strike: "3"
Insert: "4"

3. Page 1, line 15.

Strike: "3"
Insert: "4"

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4. Page 2, line 4.

Strike: "3"

Insert: "4"

5. Page 2, line 21 through page 3, line 26.

Strike: section 3 in its entirety

Insert: "NEW SECTION. **Section 3. Collection of personally identifiable information -- requirements.** (1) A government website operator may not collect personally identifiable information online from a website user unless the operator complies with the provisions of this section.

(2) A government website operator shall ensure that the website:

(a) identifies who operates the website;

(b) provides the address and telephone number at which the operator may be contacted as well as an electronic means for contacting the operator; and

(c) generally describes the operator's information practices, including policies to protect the privacy of the user and the steps taken to protect the security of the collected information.

(3) In addition to the requirements of subsection (2), if the personally identifiable information may be used for a purpose other than the express purpose of the website or may be given or sold to a third party, except as required by law, then the operator shall ensure that the website includes:

(a) a clear and conspicuous notice to the user that the information collected could be used for other than the purposes of the website;

(b) a general description of the types of third parties that may obtain the information; and

(c) a clear, conspicuous, and easily understood online procedure requiring an affirmative expression of the user's permission before the information is collected."

Insert: "NEW SECTION. **Section 4. No change of privacy right or public right to know.** [Sections 1 through 4] are not intended to expand or restrict the individual right of privacy or the public right to know or to change the rights and obligations of persons, state agencies, or local governments that are otherwise provided by law."

Renumber: subsequent section

6. Page 3, line 28 and line 30.

Strike: "3"

Insert: "4"

And, as amended, do pass. Report adopted.

SB 120, be concurred in. Report adopted.

SB 148, be concurred in. Report adopted.

TAXATION (Story, Chairman):

2/6/2001

SB 45, be concurred in. Report adopted.

SB 192, be concurred in. Report adopted.

TRANSPORTATION (Somerville, Chairman):

2/5/2001

HB 131, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

Following: "MCA"

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Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 2, line 29.

Following: "authority"

Insert: ", if probable cause exists,"

Following: "inspect"

Strike: "the"

Insert: "a"

Following: "tank"

Insert: "connected to the engine"

3. Page 3.

Following: line 1

Insert: "NEW SECTION. Section 2. Termination. [This act] terminates July 1, 2003."

And, as amended, do pass. Report adopted.

HB 363, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/5/2001

HB 99, introduced by Devlin

HB 194, introduced by Bookout-Reinicke

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/5/2001

HB 132, introduced by Brueggeman

Senate bills passed and transmitted to the House for concurrence: 2/5/2001

SB 97, introduced by Mahlum

SB 280, introduced by McNutt

FIRST READING AND COMMITMENT OF BILLS

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

HB 501, introduced by Gallik, referred to Appropriations.

HB 502, introduced by Story, referred to Transportation.

HB 503, introduced by Buzzas, Bohlinger, referred to Appropriations.

HB 504, introduced by Gallik, Price (by request of the State Auditor), referred to Business and Labor.

HB 505, introduced by Dell, referred to Education.

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

SB 27, introduced by R. Holden, referred to Business and Labor.

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SB 35, introduced by Bishop, referred to Education.

SB 50, introduced by Waterman (by request of the Department of Administration), referred to State Administration.

SB 56, introduced by McNutt (by request of the Transition Advisory Committee on Electric Utility Industry Restructuring), referred to Federal Relations, Energy, and Telecommunications.

SB 57, introduced by Johnson (by request of the Transition Advisory Committee on Electric Utility Industry Restructuring), referred to Federal Relations, Energy, and Telecommunications.

SB 90, introduced by Ekegren (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to State Administration.

SB 115, introduced by R. Holden, referred to Agriculture.

SB 161, introduced by Hargrove (by request of the Department of Environmental Quality), referred to Local Government.

SB 162, introduced by Grosfield (by request of the Local Government Funding and Structure Committee), referred to Taxation.

SB 168, introduced by Stonington (by request of the Department of Environmental Quality), referred to Local Government.

SB 240, introduced by McNutt, Bales, Clancy, Cole, Devlin, Forrester, Hedges, R. Holden, Olson, referred to Taxation.

SB 262, introduced by Wells, Adams, Berry, Butcher, Davies, Glaser, Hargrove, Keenan, Laszloffy, Miller, Sprague, referred to Fish, Wildlife and Parks.

SB 269, introduced by McNutt, Bales, Cole, Devlin, Hedges, R. Holden, Kasten, Kitzenberg, Lenhart, Lindeen, Matthews, Nelson, Pattison, Smith, Steinbeisser, Zook, referred to Federal Relations, Energy, and Telecommunications.

SB 279, introduced by McNutt, Sliter, referred to Business and Labor.

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

SJR 4, introduced by Taylor, referred to Agriculture.

**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 Masolo in the chair.

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

HB 417 - Representative Price moved **HB 417** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, 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, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke.

Total 1

HB 182 - Representative Newman moved **HB 182** do pass. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, Dale, 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, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Price, Raser, Ripley, Schmidt, Schrupf, Shockley, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Wolery, Younkin.

Total 80

Noes: Adams, Bales, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Davies, Devlin, Lewis, Olson, Pattison, Rice, Rome, Sliter, Steinbeisser, Vick, Waitschies, Walters, Witt, Mr. Speaker.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 295 - Representative Jent moved **HB 295** 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

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 383 - Representative Younkin moved **HB 383** 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, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: Vick.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 90 - Representative Shockley moved **HB 90** do pass. Motion failed as follows:

Ayes: Andersen, Bitney, Bookout-Reinicke, D. Brown, E. Clark, Curtiss, Dale, Davies, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Golie, Haines, Harris, Hedges, Holden, Jacobson, Jayne, Jent, Keane, Lee, Lehman, Lenhart, Lindeen, Matthews, McCann, Musgrove, Noennig, Olson, A. Peterson, K. Peterson, Price, Ripley, Rome, Shockley, Sliter, Smith, Somerville, Thomas, Tramelli, Waddill, Walters, Whitaker, Wolery, Mr. Speaker.

Total 47

Noes: Adams, Bales, Balyeat, Barrett, Bixby, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Gallik, Gillan, Gutsche, Himmelberger, Hurdle, Jackson, Juneau, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lawson, Lewis, Mangan, Masolo, McKenney, Mood, Newman, Pattison, Raser, Rice, Schmidt, Schrupf, Steinbeisser, Story, Tropila, Vick, Waitschies, Wanzenried, Witt, Younkin.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 139 - Representative Sliter moved consideration of **HB 139** be passed for the day. Motion carried.

HB 262 - Representative Sliter moved consideration of **HB 262** be passed for the day. Motion carried.

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HB 382 - Representative Whitaker moved **HB 382** do pass.

HB 382 - Representative Whitaker moved **HB 382**, second reading copy, be amended as follows :

1. Title, lines 5 and 6.

Strike: "IMPOSING" on line 5 through "LAW" on line 6

Insert: "EXERCISING CERTAIN POWERS RELATED TO LANDLORDS AND TENANTS"

2. Page 2, line 11 through line 13.

Strike: "applies" on line 11 through "is" on line 12

Insert: "controls or regulates rent for a dwelling unit or alters the rights, remedies, or duties between a landlord and a tenant as"

3. Page 2, line 15 through line 21.

Strike: sections 2 and 3 in their entirety

Amendment **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, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Mangan, 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, Witt, Wolery, Younkin, Mr. Speaker.

Total 95

Noes: Eggers, Hurdle, Jent, Lindeen.

Total 4

Excused: None.

Total 0

Absent or not voting: Mood.

Total 1

Representative Dale excused at this time.

Motion that **HB 382**, as amended, do pass carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Gallik, Gallus, Golie, Hedges, Himmelberger, Holden, Laible, Laszloffy, Lawson, Lehman, Lewis, McCann, McKenney, Mood, Noennig, Olson, Pattison, Price, Raser, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Thomas, Tramelli, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Mr. Speaker.

Total 55

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Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Eggers, Erickson, Facey, Fritz, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Masolo, Matthews, Musgrove, Newman, A. Peterson, K. Peterson, Schmidt, Smith, Story, Tropila, Waddill, Wanzenried, Younkin.

Total 44

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

HB 396 - Representative K. Peterson moved **HB 396** do pass. Motion failed as follows:

Ayes: Balyeat, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Curtiss, Dale, Davies, Dell, Esp, Fritz, Fuchs, Galvin-Halcro, Gillan, Haines, Himmelberger, Hurdle, Jackson, Laslovich, Lawson, Lewis, McCann, Mood, Newman, Noennig, A. Peterson, K. Peterson, Raser, Schmidt, Sliter, Somerville, Thomas, Vick, Waddill, Walters, Whitaker, Younkin, Mr. Speaker.

Total 43

Noes: Adams, Andersen, Bales, Barrett, Bixby, R. Brown, Clancy, E. Clark, Cyr, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Gallik, Gallus, Golie, Gutsche, Harris, Hedges, Holden, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laszloffy, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McKenney, Musgrove, Olson, Pattison, Price, Rice, Ripley, Rome, Schrupf, Shockley, Smith, Steinbeisser, Story, Tramelli, Tropila, Waitschies, Wanzenried, Witt, Wolery.

Total 57

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 119 - Representative Vick moved **HB 119** 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, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jent, Kasten, 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, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 90

Noes: P. Clark, Erickson, Fritz, Gutsche, Hurdle, Jayne, Juneau, Kaufmann, Mangan, Tropila.

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Total 10

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 276 - Representative K. Peterson moved **HB 276**, as amended, do pass. Motion failed as follows:

Ayes: Bales, Bitney, Bookout-Reinicke, Branae, R. Brown, Callahan, Carney, E. Clark, P. Clark, Curtiss, Dell, Devlin, Eggers, Forrester, Fuchs, Gillan, Golie, Harris, Himmelberger, Hurdle, Jent, Keane, Laszloffy, Lee, Lenhart, Lindeen, Mangan, Matthews, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Schmidt, Schrupf, Sliter, Story, Tramelli, Waddill, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 46

Noes: Adams, Andersen, Balyeat, Barrett, Bixby, D. Brown, Brueggeman, Buzzas, Clancy, Cyr, Dale, Davies, Erickson, Esp, Facey, Fisher, Fritz, Gallik, Gallus, Galvin-Halcro, Gutsche, Haines, Hedges, Holden, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Laible, Laslovich, Lawson, Lehman, Lewis, Masolo, McCann, Mood, Pattison, Price, Raser, Rice, Ripley, Rome, Shockley, Smith, Somerville, Steinbeisser, Thomas, Tropila, Vick, Waitschies, Walters, Wanzenried.

Total 54

Voted Absentee: Dale, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

Representative Shockley made a substitute motion that **HB 90** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Report adopted as follows:

Ayes: Andersen, Bitney, Bookout-Reinicke, D. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, Curtiss, Davies, Dell, Forrester, Fuchs, Gallus, Golie, Haines, Harris, Hedges, Holden, Jayne, Jent, Kasten, Laible, Laszloffy, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Walters, Whitaker, Witt, Wolery, Mr. Speaker.

Total 58

Noes: Adams, Bales, Balyeat, Barrett, Bixby, Branae, R. Brown, Buzzas, P. Clark, Cyr, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Fritz, Gallik, Galvin-Halcro, Gillan, Gutsche, Himmelberger, Hurdle, Jackson, Jacobson, Juneau,

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Kaufmann, Keane, Laslovich, Lawson, Lehman, Lewis, Masolo, Newman, Raser, Rice, Smith, Tramelli, Waitschies, Wanzenried, Younkin.

Total 41

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

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 30 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, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, 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 97

Noes: None.

Total 0

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Mangan, Raser, Sliter.

Total 3

HB 118 passed 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, 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.

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Total 99

Noes: Adams.

Total 1

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 140 passed as follows:

Ayes: Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, 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, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrumpf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.

Total 80

Noes: Adams, Andersen, Balyeat, E. Clark, Dale, Davies, Esp, Himmelberger, Jackson, Kasten, Laible, Laszloffy, Lewis, Pattison, A. Peterson, Rice, Vick, Walters, Witt.

Total 19

Voted Absentee: Dale, No.

Excused: None.

Total 0

Absent or not voting: Sliter.

Total 1

HB 157 passed as follows:

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

Total 79

Noes: Bixby, Buzzas, P. Clark, Cyr, Erickson, Fisher, Fritz, Galvin-Halcro, Gutsche, Harris, Hurdle, Jayne, Jent,

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Juneau, Kaufmann, Lee, Lehman, Masolo, Rice, Tramelli, Wanzenried.
Total 21

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 190 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, 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: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 349 passed as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, 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, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Rome, Schmidt, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 92

Noes: Adams, D. Brown, Dell, Masolo, Pattison, Ripley, Smith, Waitschies.
Total 8

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Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Hedges, Himmelberger, Holden, 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 94

Noes: Facey, Harris, Hurdle.

Total 3

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Branae, Carney.

Total 3

HB 381 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, 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, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 86

Noes: Bixby, P. Clark, Eggers, Gallik, Golie, Gutsche, Jacobson, Jayne, Juneau, Kaufmann, Lee, Mangan, Smith, Tramelli.

Total 14

Voted Absentee: Dale, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Sliter moved that **HB 340** be taken from the Committee on Natural Resources and rereferred to the Committee on State Administration. There being no objections, so ordered.

Representative Kaufmann requested on **HB 47**, third reading yesterday, that her vote be changed from yes to no. There being no objections, so ordered.

Representative Kaufmann requested on **HB 30**, third reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Sliter moved that **HB 232** be taken from the Committee of the Whole and rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Barrett requested on **HB 362**, second reading yesterday, that her vote be changed from no to yes. There being no objections, so ordered.

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Thomas, Chairman):
HB 411, introduced bill, be amended as follows:

2/6/2001

1. Title, line 5.

Following: "INVESTIGATE"

Insert: "AND PROSECUTE"

2. Page 2, lines 7 and 13.

Strike: "related to the medicaid program" on line 7 and line 13

Insert: "pursuant to subsection (1)" on line 7 and line 13

And, as amended, do pass. Report adopted.

HJR 9, introduced joint resolution, be amended as follows:

1. Title, line 5.

Strike: "EQUAL"

Insert: "EQUITABLE"

2. Page 2, line 3.

Strike: "equal"

Insert: "equitable"

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3. Page 2, line 9.
Following: "Congress"
Insert: "be requested to"
Strike: "equal"
Insert: "equitable"

And, as amended, be adopted. Report adopted.

JUDICIARY (Shockley, Chairman):
HB 27, do pass. Report adopted.
HB 201, introduced bill, be amended as follows:

2/6/2001

1. Title, page 1, line 5.
Strike: "PROVIDING A PENALTY;"

2. Page 2, line 13.
Following: "when"
Insert: ", with the purpose to deprive the owner of the property,"

3. Page 2, line 14 through line 16.
Following: line 13
Strike: lines 14 through 16 in their entirety
Insert: "."

(a) purposely or knowingly obtains or exerts unauthorized control over property of the person's employer or over property entrusted to the person; or
(b) purposely or knowingly obtains by deception control over property of the person's employer or over property entrusted to the person.

4. Page 2, line 23.
Strike: "Except as provided in subsection (8)(c), a"
Insert: "A"

5. Page 2, line 27 through line 29.
Strike: subsection (c) in its entirety

And, as amended, do pass. Report adopted.

HB 213, introduced bill, be amended as follows:

1. Title, page 1, line 11.
Following: "PROTECTION;"
Insert: "AMENDING SECTIONS 40-4-125 AND 40-15-303, MCA;"

2. Page 1, line 21.
Page 1, line 22.
Page 1, line 26.
Page 2, line 15.
Page 2, line 25.

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Page 2, line 28.

Page 3, line 6.

Page 3, line 8.

Strike: "tribunal"

Insert: "court"

3. Page 2, line 4 through line 5.

Strike: subsection (8) in its entirety

4. Page 4, line 2 through line 3.

Following: "clerk of" on line 2

Insert: "any"

Strike: "the department" on line 2 through "services" on line 3

Insert: "to any local law enforcement agency"

5. Page 4, line 13.

Following: "[sections 1 through 8]"

Insert: "must be entered into the database of the national crime information center of the United States department of justice and"

6. Page 4, line 14.

Following: "or"

Insert: "other"

7. Page 4.

Following: line 30

Insert: "**Section 9.** Section 40-4-125, MCA, is amended to read:

"40-4-125. Registration of orders. (1) The clerk of court, justice of the peace, municipal court judge, or city court judge shall, within 24 hours of receiving proof of service of an order under 40-4-121, mail a copy of the order or any extension, modification, or termination ~~thereof of the order~~ along with a copy of the proof of service to the appropriate law enforcement agencies designated in the order, which shall, within 24 hours after receipt of the order, enter the order into the database of the national crime information center of the United States department of justice and may enter the order into any existing state or other federal registry of protection orders, in accordance with applicable law.

(2) Law enforcement agencies shall establish procedures, using an existing system for warrant verification and the database of the national crime information center of the United States department of justice, to ensure that peace officers at the scene of an alleged violation of a protective order are informed of the existence and terms of ~~such~~ the order.""

Insert: "**Section 10.** Section 40-15-303, MCA, is amended to read:

"40-15-303. Registration of orders. (1) The clerk of court, justice of the peace, municipal court judge, or city court judge shall, within 24 hours of receiving proof of service of an order under 40-15-201, 40-15-204, or 40-15-301, mail a copy of the order or any extension, modification, or termination of the order, along with a copy of the proof of service, to the appropriate law enforcement agencies designated in the order, which shall, within 24 hours after receipt of the order, enter the order into the database of the national crime information center of the United States department of justice and may enter the order into any existing state or other federal registry of protection orders, in accordance with applicable law.

(2) Law enforcement agencies shall establish procedures, using an existing system for warrant verification and the database of the national crime information center of the United States department of justice, to

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ensure that peace officers at the scene of an alleged violation of an order of protection are informed of the existence and terms of the order.'"

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 359, do pass. Report adopted.

HB 393, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 31**: Christiaens, Cocchiarella, Doherty, Ellingson, Elliott, Franklin, Halligan, Harrington, Jergeson, McCarthy, Nelson, Pease, Roush, Shea, Stonington, Tester, Toole, and Waterman.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 1:00 p.m., Wednesday, February 7, 2001. Motion carried.

House adjourned at 3:08 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House