

**HOUSE JOURNAL
57TH LEGISLATURE
THIRTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 9, 2001

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Harris and Tramelli, excused. Quorum present.

Representative Jacobson led the House in singing Happy Birthday to Representative Callahan.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/9/2001
Correctly printed: **HB 33, HB 57, HB 167, HB 265, HB 273, HB 324, HB 353, HB 358, HB 401, HB 402, HB 412, HB 432, HB 456, SB 61, SB 172.**
Examined by the sponsor and found to be correct: **HB 22, HB 50, HB 93, HB 180.** 2/8/2001

BUSINESS AND LABOR (McKenney, Chairman): 2/8/2001
HB 463, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "ACCOUNT"

Insert: "; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE"

3. Page 1, line 21.

Strike: "a restraining"

Insert: "an"

Following: "order"

Insert: "of protection"

4. Page 1, line 26.

Strike: "other"

Following: "professional"

Insert: "person, as defined in 53-21-102,"

5. Page 1.

Following: line 27

Insert: "(3) An individual who is otherwise eligible for benefits under this section becomes ineligible if the individual remains in or returns to the abusive situation that caused the individual to leave work or be discharged.

(4) For the purposes of this section, "domestic violence" means the physical, sexual, mental, or emotional abuse of an individual or the individual's child by a person with whom that individual or the individual's child lives or has recently lived."

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6. Page 1, line 31.

Following: line 30

Insert: "NEW SECTION. Section 3. Effective date -- applicability. [This act] is effective July 1, 2001, and applies to an individual who leaves work or is discharged because of circumstances resulting from domestic violence on or after [the effective date of this act].

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 493, do pass. Report adopted.

SB 106, be amended as follows:

1. Page 1, line 12.

Following: "loan,"

Strike: "an"

Insert: "a contract"

Following: "action"

Insert: "or a breach of contract action"

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

JUDICIARY (Shockley, Chairman):

2/8/2001

HB 331, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "means"

Insert: "includes but is not limited to"

2. Page 1, line 23.

Following: "security number"

Insert: "or other federal government identification number"

3. Page 1, line 24.

Strike: "or"

4. Page 1, line 25.

Strike: "of an individual"

Insert: ", or similar identifying information relating to a"

And, as amended, do pass. Report adopted.

HB 424, do pass. Report adopted.

NATURAL RESOURCES (Younkin, Chairman):

2/8/2001

HB 125, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "SUPPORTED"

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Insert: "TO THE EXTENT CONSIDERED ACHIEVABLE"

2. Page 1, line 26.

Following: "supported"

Insert: "to the extent considered achievable"

3. Page 2, line 1.

Strike: "90"

Insert: "60"

4. Page 3, line 23.

Following: the first "the"

Strike: "water quality standards for the water body's classification"

Insert: "goal of the temporary water quality standards"

And, as amended, do pass. Report adopted.

HB 159, introduced bill, be amended as follows:

1. Page 2, line 12.

Following: "project"

Insert: ", provided that if the project applicant is a municipality, the municipality shall solicit and evaluate proposals from private persons for the operation of the composting facility"

And, as amended, do pass. Report adopted.

HB 209, introduced bill, be amended as follows:

1. Title, page 1, line 10 through line 12.

Following: "CLAIM" on line 10

Insert: "CERTIFICATION"

Strike: "PROHIBITING" on line 10 through "RECOVERED;" on line 12

2. Title, page 1, line 14.

Following: "75-10-722,"

Insert: "AND"

Following: "75-10-724,"

Strike: "75-10-733, AND 75-10-738,"

3. Page 4, line 12.

Following: "business"

Strike: "owner"

4. Page 4, line 13.

Following: "to"

Strike: remainder of line 13

Insert: "contaminated air;"

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5. Page 5, line 29.

Following: "costs"

Strike: "submitted"

Insert: "certified"

6. Page 8, line 19.

Following: the second "person"

Insert: "of the nature of the known or suspected contamination and"

7. Page 8, line 21.

Following: "costs"

Strike: "submitted"

Insert: "certified"

8. Page 9, line 12.

Following: "costs"

Strike: "submitted"

Insert: "certified"

9. Page 9, line 16.

Following: "section;"

Strike: "or"

10. Page 9, line 19.

Following: "court"

Insert: "; or

(e) an action to determine the validity of the portion of an order directing the person to pay private response costs"

11. Page 10, line 22.

Following: "costs"

Strike: "submitted"

Insert: "certified"

12. Page 16, line 10.

Following: "claims"

Insert: "-- department determinations"

13. Page 16, line 12.

Following: "that"

Strike: "comply with this section"

Insert: "it certifies pursuant to subsection (2)"

Following: "complaint"

Strike: ", "

Insert: "or"

14. Page 16, line 13.

Following: "order"

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Strike: ", or other action"

15. Page 16, line 14.

Following: "(2)"

Strike: remainder of line 14

Insert: "The department shall certify those costs that it determines to be reasonable and actual"

16. Page 16, line 15 through line 16.

Following: "release" on line 15

Strike: remainder of line 15 through "75-10-715" on line 16

Insert: "of a hazardous or deleterious substance"

17. Page 16

Following: line 24

Insert: "(3) Failure of a person to submit a claim for a cost pursuant to subsection (1) or a determination by the department not to certify a cost does not bar the person from filing an action pursuant to 75-10-724, and evidence of failure to submit a cost or the department's determination not to certify a cost is not admissible in evidence in an action brought pursuant to 75-10-724. An applicant's sole judicial remedy under this part for reimbursement of a cost that the department determines not to certify is considered an action pursuant to 75-10-724."

Renumber: subsequent subsections

18. Page 16, line 29.

Following: "or"

Insert: "issues an"

19. Page 16, line 30 through page 17, line 1.

Following: "(5)" on line 16

Strike: remainder of line 30 through "prior" on page 17, line 1

Insert: "Prior"

Following: "part"

Insert: ", the department shall publish once a week for 3 consecutive weeks in a newspaper of general circulation in the county where all or a portion of the release is located a notice of the deadline for submitting private response costs for review and inclusion in the department's cost recovery action"

20. Page 17, line 10.

Following: "paid"

Insert: "or that will be paid"

21. Page 17, line 15.

Following: the first "costs,"

Insert: "including attorney fees, legal costs, and certified"

Following: the second "costs"

Strike: ", penalties, and legal expenses"

22. Page 17, line 16.

Following: "percentages."

Insert: "The department is not required to reimburse more than the amount of the certified private response costs."

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23. Page 17.

Following: line 16

Insert: "(5) A person who is liable or potentially liable under 75-10-715 may not submit a claim or receive reimbursement for private response costs under [section 5].

(6) A person may not recover costs for the same claim more than once under any provision of law.

(7) The department may not reimburse more than \$25,000 in private response costs to each household or business affected by the release."

24. Page 20, line 23.

Following: "costs"

Strike: "submitted"

Insert: "certified"

25. Page 21, line 23.

Following: "costs"

Strike: "submitted"

Insert: "certified"

26. Page 22, line 14.

Following: "costs"

Strike: "submitted"

Insert: "certified"

27. Page 22, line 20.

Following: "Payment of"

Strike: "state"

28. Page 22, line 21.

Following: "costs"

Strike: "submitted"

Insert: "certified"

29. Page 22, line 25.

Following: "costs"

Strike: "submitted"

Insert: "certified"

30. Page 23, line 20 through line 21.

Following: "costs"

Strike: "resulting" on line 20 through "75-10-715" on line 21

31. Page 23, line 23.

Following: "successful"

Insert: ", from a person who is liable under 75-10-715"

32. Page 23.

Following: line 25

Insert: "(4) The court in any action brought to recover costs has the discretion to award attorney fees to the prevailing

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or substantially prevailing party."

33. Page 23, line 27 through page 25, line 11.

Strike: section 12 and section 13 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 477, do pass. Report adopted.

STATE ADMINISTRATION (Walters, Chairman):

2/8/2001

HB 239, introduced bill, be amended as follows:

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

Strike: "PROVIDING" on line 7 through ";" on line 8

2. Page 1, line 15.

Following: "by"

Insert: "the"

Strike: "and state-assisted organizations"

3. Page 1, line 18.

Strike: "been" through "latest"

Insert: "not been systematically incorporated into the procurement process for new"

4. Page 1, line 24.

Strike: "and"

5. Page 1, line 25.

Strike: "the most advanced"

Insert: "new"

6. Page 1, line 27.

Following: "age"

Insert: "; and

(f) although access to programs, technology, and information is provided for under other state and federal law and, in many instances, compels the installation and availability of nonvisual technology adaptations, access to information technology is most effectively accomplished at the point of procurement, ensuring that funds are expended on information technology designed to be readily adaptable for nonvisual access"

7. Page 1, line 28.

Following: "all"

Insert: "state"

8. Page 1, line 28 through line 29.

Following: "activities"

Strike: "that" on line 28 through "funds" on line 29

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9. Page 2, line 1.

Strike: "advanced"

Insert: "information"

10. Page 2, line 1 through line 2.

Strike: "or state-assisted" on line 1 through "organizations" on line 2

11. Page 2, line 8.

Strike: "6"

Insert: "5"

12. Page 2, line 18.

Strike: line 18 in its entirety

Renumber: subsequent subsections

13. Page 2.

Following: line 21

Insert: "(5) "Readily adaptable" means that all critical components of information may be rendered by the information technology in equivalent nonvisual formats and that the installation or operation of software or hardware adaptations for speech, Braille, or other nonvisual formats do not require extraordinary alterations to the information technology."

14. Page 2, line 22 through 25.

Strike: line 22 through line 25 in their entirety

Insert: "(6) "State agency" means a department, board, commission, office, bureau, institution, university system entity, or unit of state government recognized in the state budget."

15. Page 2.

Following: line 27

Insert: "(8) "Undue burden" means compliance may be accomplished only by incurring an undue financial or administrative burden or by fundamentally altering a program or activity."

16. Page 2, line 29 through page 3, line 1.

Strike: "In general" on page 2, line 29 through "public" on page 3, line 1

Insert: "When information technology equipment and software are procured for use by employees, program participants, or members of the public, the state agency head shall ensure that the equipment or software"

17. Page 3, line 2.

Strike: "provide"

Insert: "provides"

18. Page 3, line 5.

Strike: "are"

Insert: "is"

19. Page 3, line 7.

Strike: "have"

Insert: "has"

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20. Page 3, line 12.

Following: "The"

Insert: "access"

Following: "clause"

Insert: "and the nondiscrimination language required in 49-3-207"

21. Page 3, line 13.

Strike: "covered entities"

Insert: "state agencies"

22. Page 3, line 18.

Strike: "achievable by"

Insert: "adaptable to"

23. Page 3, line 20.

Following: "interact"

Insert: "or exchange electronic information"

24. Page 3, line 28 through line 29.

Strike: "covered entity:" on line 28 through "(a)" on line 29

Insert: "state agency"

25. Page 4, line 2.

Strike: ";

Insert: "."

26. Page 4, line 3 through line 8.

Strike: line 3 through line 8 in their entirety

27. Page 4, line 15.

Strike: "6"

Insert: "5"

28. Page 4, line 18.

Insert: "(5) Until July 1, 2003, a state agency may be exempted from the requirements of [section 4] if the cost would cause the state agency's budget to exceed legislative appropriations.

(6) A state agency may be exempted from the provisions of [sections 1 through 5] if the state agency can show that compliance would result in an undue burden."

29. Page 4, line 19 through line 23.

Strike: section 6 in its entirety

Renumber: subsequent sections

30. Page 4, line 25.

Strike: "6"

Insert: "5"

31. Page 4, line 27.

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Strike: "6"

Insert: "5"

And, as amended, do pass. Report adopted.

SB 235, be concurred in. Report adopted.

SJR 5, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/8/2001

SB 111, introduced by Ellis

SB 141, introduced by Stonington

SB 281, introduced by Mahlum

MESSAGES FROM THE GOVERNOR

February 9, 2001

The Honorable Dan McGee
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative McGee:

Please be informed that I have signed **House Bill 25** sponsored by Representative Sliter, **House Bill 34** sponsored by Representative Gallik, and **House Bill 45** sponsored by Representative Witt on February 9, 2001.

Sincerely,

JUDY MARTZ
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 524, introduced by Keane, Forrester, Harrington, referred to Transportation.

HB 525, introduced by Kasten, Beck, Brueggeman, Cobb, Davies, Forrester, Keenan, Lewis, McCann, McGee, Mood, Pattison, Sliter, F. Thomas, Vick, Wells, Witt, referred to Appropriations.

HB 526, introduced by Branae, Berry, Bohlinger, Christiaens, Cocchiarella, Dell, Forrester, Harrington, Jacobson, Juneau, Kaufmann, Keane, Lawson, Lindeen, Mangan, Matthews, McCarthy, Newman, Shea, F. Thomas, Toole, Tropila, Wanzenried, Witt, referred to Appropriations.

HB 527, introduced by Gillan, Bishop, Doherty, Golie, Halligan, Harrington, Jergeson, Mangan, Roush, Wanzenried,

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referred to State Administration.

HB 528, introduced by Story, referred to State Administration.

HB 529, introduced by Pattison, Bales, Brueggeman, Clancy, Cocchiarella, Devlin, Jackson, Kasten, Kitzenberg, Matthews, McCann, McKenney, Mohl, Mood, Musgrove, Olson, Ripley, Roush, Sliter, Steinbeisser, Story, B. Thomas, Tropila, Waitschies, Whitaker, Wolery, referred to Transportation.

HB 530, introduced by Kasten, referred to Business and Labor.

HB 531, introduced by Waitschies, Adams, Bales, Kitzenberg, Pattison, Price, Smith, referred to Agriculture.

HB 532, introduced by Kaufmann, Haines, referred to Natural Resources.

HB 533, introduced by Vick, Keenan, referred to Appropriations.

HB 534, introduced by Raser, Newman, Fritz, referred to Taxation.

HB 535, introduced by Harris, Carney, P. Clark, Doherty, Fritz, Gutsche, Laslovich, Newman, Raser, Stonington, Wanzenried, referred to Natural Resources.

**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 Story in the chair.

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

HB 146 - Representative Sliter moved consideration of **HB 146** be passed for the day. Motion carried.

HB 351 - Representative Olson moved **HB 351** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, 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 98

Noes: None.

Total 0

Voted Absentee: Harris, Tramelli, Ayes.

Excused: None.

Total 0

Absent or not voting: Devlin, Mood.

Total 2

HB 379 - Representative Galvin-Halcro moved **HB 379** do pass.

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HB 379 - Representative Galvin-Halcro moved **HB 379**, second reading copy, be amended as follows :

1. Title, page 1, line 5.

Strike: "PROVIDE"

2. Title, page 1, line 7.

Following: "PENALTY"

Insert: "ADOPT A POLICY GENERALLY PROVIDING FOR"

3. Title, page 1, lines 7 and 8.

Following: "PERIODS"

Strike: remainder of line 7 through "PERIOD" on line 8

4. Title, page 1, line 9.

Following: "MINUTES"

Insert: "EVERY 4 HOURS"

5. Page 1, line 16.

Following: "AN"

Insert: "employer shall adopt a policy or procedure providing that whenever feasible, given the reasonable demands of the employer's operation, an"

Following: "EMPLOYEE"

6. Page 1, line 17.

Following: "PERIOD OF"

Strike: "NOT LESS THAN"

Insert: "at least"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, 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, 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, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 97

Noes: Brueggeman.

Total 1

Excused: Harris, Tramelli.

Total 2

Absent or not voting: None.

Total 0

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Motion that **HB 379**, as amended, do pass carried as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Newman, Olson, Price, Raser, Rome, Schmidt, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried.
Total 52

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Dale, Davies, Dell, Esp, Fisher, Fuchs, Hedges, Himmelberger, Jackson, Kasten, Laible, Laslovich, Laszloffy, Lehman, Lewis, Masolo, McCann, McKenney, Mood, Noennig, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 48

Voted Absentee: Harris, Tramelli, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 437 - Representative Jacobson moved **HB 437** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Shockley, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 80

Noes: Adams, Balyeat, R. Brown, Brueggeman, Curtiss, Fisher, Himmelberger, Jackson, Kasten, Laszloffy, Lehman, McCann, Olson, Pattison, Rice, Sliter, Steinbeisser, Vick, Waitschies, Mr. Speaker.
Total 20

Voted Absentee: Harris, Tramelli, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 27 - Representative Musgrove moved **HB 27** do pass. Motion carried as follows:

Ayes: Balyeat, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Callahan, Carney, Clancy, Curtiss, Cyr, Dale,

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Dell, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schrumpf, Smith, Somerville, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 71

Noes: Adams, Andersen, Bales, Barrett, Bixby, Brueggeman, Buzzas, E. Clark, P. Clark, Davies, Devlin, Fisher, Gutsche, Jayne, Jent, Juneau, Kasten, Kaufmann, Masolo, Mood, Pattison, Rice, Ripley, Shockley, Sliter, Steinbeisser, Story, Vick, Mr. Speaker.

Total 29

Voted Absentee: Harris, Tramelli, Ayes.

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

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

Total 88

Noes: Fuchs, Jent.

Total 2

Excused: Harris, Tramelli.

Total 2

Absent or not voting: Andersen, Bales, Bookout-Reinicke, P. Clark, Cyr, Davies, Laszloffy, Wolery.

Total 8

MOTIONS

Representative Golie requested on **HJR 11**, third reading yesterday, that Representative Tramelli's vote be shown as yes. There being no objections, so ordered.

Representative Keane requested on **HB 351**, second reading today, that his vote be shown as yes. There being no

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objections, so ordered.

Representative Musgrove requested on **HB 27**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Olson requested on **HB 351**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Lee requested on **HB 379**, second reading today, that her vote be shown as yes. There being no objections, so ordered.

Majority Leader Sliter moved that the House recess until 2:30 p.m., Friday, February 9, 2001. Motion carried.

House recessed at 2:02 p.m.

House reconvened at 2:30 p.m. All members present, except Representatives Harris and Tramelli, excused. Quorum present.

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 156 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, 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, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, 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, Waddill, Walters, Wanzenried, Witt, Wolery, Younkin, Mr. Speaker.

Total 92

Noes: Jayne, Vick, Waitschies, Whitaker.

Total 4

Voted Absentee: Harris, Tramelli, Ayes.

Excused: None.

Total 0

Absent or not voting: Dale, McCann, McKenney, Tropila.

Total 4

REPORTS OF STANDING COMMITTEES

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Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 8:00 a.m., Saturday, February 10, 2001. Motion carried.

House adjourned at 2:47 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House