

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

Helena, Montana
February 16, 2001

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Gallik. Pledge of Allegiance to the Flag.

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

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/16/2001
Correctly printed: **HB 66, HB 290, HB 332, HB 334, HB 340, HB 345, HB 360, HB 451, HB 472, HB 488, HB 523, HB 548, HJR 10, HJR 18, SB 44, SB 180, SB 214.**
Correctly engrossed: **HB 167, HB 247, HB 387, HB 392, HB 408.**
Correctly enrolled: **HB 23, HB 37, HB 155, HB 220, HB 235, HB 246.**
Examined by the sponsor and found to be correct: **HB 23, HB 37, HB 155, HB 220, HB 246.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/16/2001

SB 65, introduced by Ellis
SB 158, introduced by Grosfield
SB 245, introduced by R. Holden

House bill concurred in and returned to the House: 2/16/2001

HB 246, introduced by Bales

FIRST READING AND COMMITMENT OF BILLS

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

HB 144, introduced by Noennig (by request of the Legislative Council), referred to Appropriations.
HB 604, introduced by Hurdle, Gutsche, referred to Judiciary.
HB 605, introduced by Mood, referred to Federal Relations, Energy, and Telecommunications.
HB 606, introduced by Rice, Adams, Balyeat, Barrett, Davies, Esp, Pattison, Ripley, Waitschies, Witt, referred to Federal Relations, Energy, and Telecommunications.
HB 607, introduced by Facey, Cobb, Ellingson, Erickson, Juneau, referred to Appropriations.
HB 608, introduced by Haines (by request of the House Joint Appropriations Subcommittee on Natural Resources and Commerce), referred to Appropriations.
HB 609, introduced by Story, referred to Taxation.
HB 610, introduced by Kasten (by request of the House Joint Approp Subcommittee on Long Range Planning), referred to Appropriations.
HB 611, introduced by Pattison (by request of the House Transportation Standing Committee), referred to Transportation.

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HB 612, introduced by McGee, Sliter, referred to State Administration.

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

HJR 32, introduced by Bixby, referred to State Administration.

**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 Buzzas in the chair.

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

HB 353 - Representative Sliter moved consideration of **HB 353** be passed for the day. Motion carried.

HB 442 - Representative Jayne moved **HB 442** do pass. Motion carried as follows:

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

Total 89

Noes: Adams, R. Brown, Clancy, Cyr, Davies, Esp, Kasten, Laszloffy, Story, Vick.

Total 10

Voted Absentee: Gallus, Aye; R. Brown, No.

Excused: None.

Total 0

Absent or not voting: McKenney.

Total 1

HB 469 - Representative Rice moved **HB 469** 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,

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Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: R. Brown, Gallus, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 489 - Representative Price moved **HB 489** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 90

Noes: Bales, Branae, Dell, Devlin, Esp, Hedges, Somerville, Story, Waitschies.
Total 9

Voted Absentee: R. Brown, Gallus, Ayes.

Excused: None.
Total 0

Absent or not voting: Harris.
Total 1

HB 490 - Representative Price moved **HB 490** do pass. Motion carried as follows:

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

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Total 93

Noes: Adams, R. Brown, Davies, Lewis, McCann, Somerville, Tropila.

Total 7

Voted Absentee: Gallus, Aye; R. Brown, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 505 - Representative Dell moved **HB 505** do pass. Motion carried as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Dell, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Matthews, McKenney, Musgrove, Newman, Noennig, Olson, K. Peterson, Raser, Schmidt, Schruppf, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Wolery, Younkin.

Total 56

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, Clancy, E. Clark, Dale, Davies, Devlin, Eggers, Esp, Fisher, Fuchs, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lewis, Masolo, McCann, Mood, Pattison, A. Peterson, Price, Rice, Ripley, Rome, Shockley, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Witt, Mr. Speaker.

Total 44

Voted Absentee: R. Brown, Gallus, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 6 - Representative Waddill moved **HJR 6** be adopted. Motion carried as follows:

Ayes: Bitney, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dell, Erickson, Facey, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lawson, Lee, Lenhart, Lewis, Lindeen, Mangan, McCann, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Raser, Schmidt, Sliter, Smith, Tramelli, Tropila, Waddill, Wanzenried, Mr. Speaker.

Total 52

Noes: Adams, Andersen, Bales, Balyeat, Barrett, D. Brown, R. Brown, Brueggeman, E. Clark, Curtiss, Dale, Davies, Devlin, Eggers, Esp, Fisher, Forrester, Hedges, Himmelberger, Holden, Kasten, Keane, Laible, Laszloffy, Lehman, Masolo, Matthews, McKenney, Mood, Olson, Pattison, Price, Rice, Ripley, Rome, Schruppf, Shockley, Somerville,

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Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin.
Total 48

Voted Absentee: Gallus, Aye; R. Brown, 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 Buzzas moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Andersen, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lawson, Lee, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin.
Total 85

Noes: Eggers, Fuchs, Keane.
Total 3

Excused: R. Brown, Gallus.
Total 2

Absent or not voting: Bales, Carney, Jayne, Lehman, Mangan, Pattison, Raser, Story, Witt, Mr. Speaker.
Total 10

Majority Leader Sliter moved that the House recess for the purpose of a joint session for receiving the State of Education Address and that the House reconvene at 5:00 p.m., Friday, February 16, 2001. Motion carried.

House recessed at 1:24 p.m.

House reconvened at 1:25 p.m. Mr. Speaker in the chair.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Ahner escorted the Senate into the House Chamber.

Mr. Speaker introduced President Beck and yielded the Chair to him.

Senator Thomas moved that the body resolve itself into a joint session for the purpose of receiving the State of Education address from the Superintendent of Public Instruction. Motion carried.

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Senator Thomas moved that President Beck be authorized to appoint a committee of four to notify the Superintendent of Public Instruction that the House was in joint session and ready to receive her address. Motion carried.

President Beck appointed Senators Glaser and Ryan and Representatives Lawson and Raser and discharged them to escort the Superintendent of Public Instruction into the House Chamber.

Sergeant-at-Arms Cramer escorted the Superintendent of Public Instruction and the committee into the House Chamber.

Invocation was given by Pastor Keith Johnson of the Evangelical Covenant Church.

After being introduced by President Beck, Linda McCulloch, Superintendent of Public Instruction, delivered the following address:

Thank you very much President Beck, Speaker McGee. I'd also like to recognize Governor Judy Martz, Lieutenant Governor Karl Ohs, Attorney General Mike McGrath, Secretary of State Bob Brown, State Auditor John Morrison, Senator Steve Doherty, and Rep. Kim Gillan. I would like to thank my husband Bill for being here today.

I would like to thank the members of the American Association of University Women and the educators that are in the gallery. And I would just like to ask all of the educators in the audience, both in the gallery and on the floor, to stand up for a moment. These are the people that make education possible. Let's give them a hand.

I had hoped that we would be able to have a presentation for you by some Montana school kids. However, in deference to the workload you are facing leading up to the transmittal deadline and the very serious issues facing Montana education, we decided to save the children's presentation for another time. I trust that their presence is never far from your minds as you discuss these issues.

I cannot express how proud I am to stand before you for the first time as the representative of Montana's schools.

I'm proud because I have the opportunity to address this body in the chamber where I have served as a legislator. In fact, I used to sit right over there in Rep. Callahan's seat and shake my finger at Rep. Dan McGee until he voted for my bills--sometimes it even worked. I would, again, especially like to thank Speaker McGee for his graciousness and his friendship as we both moved into our new positions.

I'm proud because representing Montana's schools means representing the thousands of Montana parents, teachers, school boards, and community members who dedicate themselves every day to building a brighter future for our children. I can't tell you what an honor that is.

Most of all, I'm proud to be able to stand before you and talk about the future of Montana. Our 160,000 public school children - your children and grandchildren - are that future. It is education, more than any other factor, that will determine how bright that future will be.

And it is just as true that education is the key to making sure they can fulfill that future right here in Montana. Education is the key to economic development. Businesses simply will not locate in Montana unless we provide them with an educated workforce and a place where they will want to move their families and their school-age children. And more often than not, those businesses are being started and grown by Montana graduates who return home to send their own kids to Montana schools.

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It is education that will prepare our children and grandchildren for this new century. Education allows them to compete in a world where all sectors of the economy - from microchips to mining - depend on high tech skills and training.

I have spent the past sixteen years in a classroom at Bonner School, teaching kids. It is the greatest job in the whole world. I can tell you, as any teacher can, how it feels to have the opportunity each day to shape the life of a child. What it feels like to see in their eyes and their smiles that you have made a difference. Leaving that classroom and giving up that opportunity was one of the toughest decisions of my life. That was why it meant so much to me to see my Bonner kids travel here to Helena when I was sworn in as superintendent. It was in talking to those kids - my kids - that it hit me just how much this job means. Because I realized that even though I no longer get my daily supply of classroom smiles, my actions as superintendent, yours as legislators, and yours as governor affect every one of those classrooms, and each one of those children.

And if I am ever tempted to get distracted by budgets, or politics, or bureaucracy, all I have to do is look at the apple notes each of my students in Bonner made to line the walls of my office. When I think of them, there is no question where my focus is: improving Montana classrooms, so our children can succeed.

With that guiding principle, I would like to take a moment to outline my vision for the future of Montana schools. The vision that I hope you and I can work together to achieve.

The state of Montana education is at a fork in the road. Our children have incredible potential, and through the dedication of parents, teachers, and school trustees our schools are among the best in the country. If we invest in our children's education we can make Montana schools the envy of the country and prepare our students to rebuild Montana's economy in this new century. However, school districts' budgets are being stretched to the breaking point. They simply cannot continue to take cuts because of declining enrollment without any increased support from the state. If we fail to invest in schools, the quality of our children and grandchildren's education will decline. We're running out of duct tape and baling twine.

Today, thanks to the incredible efforts of local communities, Montana students rank among the top in the nation. Montana 8th graders rank 1st in the nation in science achievement, 3rd in reading, 3rd in math, and 11th in writing. I am incredibly proud of those students. And I'm proud of the parents, teachers, and communities that support them. Montana taxpayers invest their money, and, more importantly, their children in our public schools and they deserve to know that our schools are maintaining accountability for preparing our students for the world of the 21st Century. Academic standards provide that accountability.

That is why the Montana Legislature funded the development of new academic standards to "raise the bar" to challenge all students to learn and achieve at higher levels. Hundreds of educators, school board members, parents, and community leaders around the state worked to develop these standards that the Board of Public Education recently approved.

Now, the real work begins. Now, we have to make sure that our classroom teachers are given the support they need to help our students meet these standards. We need to continue to use testing and other forms of assessment to measure our progress, and we need to make sure that our teachers are given the skills and knowledge to help our children succeed. Montana students are our greatest resource; if we invest in them, there is no telling where they can take this state.

I am very excited about the broad bipartisan support at the federal level for exactly the kind of assessment and teacher development programs that Montana has already got a jump-start on. I am eager to work with the Bush administration on programs to improve our schools, while still maintaining local control of curriculum. And I am

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encouraged by the high priority President Bush has put on education.

One of the most important reasons for the success of our schools is that Montana maintains small class sizes that allow our teachers time to give their kids the attention and help they need. It is one of the many reasons why maintaining school funding is so important. We need to fund education, not because of its political fallout and not because it helps teachers. We need to fund education because your children and grandchildren deserve the chance to learn.

I stand before you as a concerned teacher, not a politician, when I say to you that the proposed budget in House Bill 121 actually reduces current school funding levels by \$18 million. Schools cannot afford it. Children cannot afford it. And, Montana cannot afford it.

You'll have to forgive me for a moment for doing a little teaching - I can't help it, it's who I am. I want to talk a little about what has happened to school funding over the past decade. In 1993, the legislature redesigned the school funding formula to avoid the \$30 million increase that increased enrollment required; then in a special session later that year they cut another \$20 million in school funding. The state then made no significant increase in the school funding rates until the last biennium.

However, even with the increases in the 1999 session and the 2000 special session, funding levels are barely where they were before the 1993 cuts. Yet, schools' fixed costs have risen dramatically over that time, even before schools were faced with the skyrocketing costs of energy, leaving school districts desperate to meet their costs. So far, districts have been able to shield children, as much as possible, from the cuts, but that time has run out. No increase in funding levels, combined with the \$18 million decrease due to declining enrollment, will devastate those budgets.

Let me tell you what these cuts will mean to schools. For several districts, including Missoula, Butte, and Livingston, it may mean shutting down entire schools. For the seven AA districts around the state it could lead to the layoff of over 200 teachers. Let me repeat that, 200 teachers in 7 communities. I've been told that the number could be as high as 400 to 500 teachers in communities around the state. That means teachers aren't in the classrooms. It also means they won't be in the supermarkets, won't be building homes, won't be paying taxes. That hurts our economy.

Cuts in school budgets will mean larger class sizes. They will mean less personal attention in those early grades that are so crucial when kids are struggling to learn how to read and write. In the upper grades, it will mean cuts in programs to keep at-risk students from dropping out. It will mean the loss of opportunities: from music to math. It will mean cuts in the increasingly important vocational training our young folks need to be prepared for the work force. It will mean out-of-date textbooks. It will mean schools cutting into general fund budgets to pay for the state's failure to fund special education.

These are the very real effects of budget cuts on schools. Now, let me tell you about the effect on our classrooms. Let me give you just one example out of many. I would like to recognize Mona Bilden from Miles City up there in the Gallery today. Mona represents the dedication of Montana teachers. Let me tell you a story; one that is all too common around the state. Mona Bilden was sick and tired of budget cuts hurting the education of her students, so she went out and sacrificed over \$500 of her own money to buy the supplies she needed for her classroom. This situation cannot continue. Teachers like Mona simply will not be able to keep our budget cuts from hurting our kids. Our children cannot be charity cases.

I give you these examples because I know that with charts and graphs in the millions of dollars it can be difficult, at times, to see the children through the numbers. However, when I urge you to support House Bill 31, the school

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funding proposal put forward by the education community, I give you my word that school funding dollars do touch the lives of children. They mean valuable minutes a teacher can spend helping a student struggle over a spelling word or a long division problem. School funding dollars mean technology skills that could make the difference between finding a job in Montana or being forced to pack up and leave. They mean a chemistry or English class that makes someone decide to go to college, or a band or basketball program that keeps forgotten students in school and learning.

Finding the money to fund our schools is never easy. You face incredibly difficult decisions. But, funding schools is a question of priorities and a question of commitment. We are not talking luxuries; we are talking about our children's basic and constitutional right to a quality education.

Because of declining enrollment there will be \$31 million of unspent money in the two years of this biennium. All of that money should go back into school funding. With skyrocketing energy costs hitting schools as sharply as they are hitting homeowners, and given the rising fixed costs that they face, taking that money away from schools to fund shortfalls really is balancing the budget on the backs of our children. It is unacceptable.

I ask you to stop parents, teachers, and school trustees from having to come to Helena as beggars and have this same fight year after year. We should not have to reinvent the wheel each session. I ask you to work with me to come up with a ten-year plan to return state funding of education to where it needs to be. The interim study committee proposed by my office is the first step in that process, and I look forward to the prospect of finding a long term solution to our school funding problem.

My father always taught me to roll up my sleeves and work until the job is done. When I saw my father roll up his sleeves, I knew that he was serious and committed. It wasn't until later that I realized that my family has short arms, so we pretty much have to roll up our sleeves to do anything.

My sleeves are rolled up, and I am committed to school funding, and to working with all parties to find a solution. I am not interested in playing the blame game. I will work with you as long and as hard as we have to, and I will make sure that my staff does the same. We can, and we must, find a way to properly fund our schools. And I will be here as long as it takes.

I also pledge to work just as hard on the other challenges that face our schools: ending school violence, facing the approaching crisis in teacher shortages, better integrating Montana public schools and institutions of higher education, and fighting the devastatingly high dropout rate among American Indian students. Something must be done to address these issues, and together we must find a solution.

First and foremost, our classrooms must be safe. The devastation of school violence casts a shadow over all our schools, and threats and bullying hurt our children's ability to learn and crush their self-respect. These are issues that affect all of us. That is why the solution must come from all of us as a community. I will work with students, parents, and educators, joining forces with law enforcement, church, and civic leaders to help local communities prevent violence and promote school safety and character education. These programs must teach Montana community values like honesty, respect, and responsibility.

I applaud Governor Racicot's task force for taking the first steps to deal with teacher shortages. I urge the legislature to adopt those programs and I will work with Governor Martz to continue the work that task force began.

I am committed to creating a seamless K through 16 education system. I plan to be fully engaged with higher education, making full use of my constitutional position on the Board of Public Education, the Board of Regents

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and the combined Board of Education to further that goal.

Some of our gravest educational concerns are the challenges faced by our American Indian students. I will spotlight those challenges and continue to work with the tribal governments and colleges, the governor, and local school districts to help our Indian students get the education they need. I am committed to thinking outside the box and working to find new ideas and solutions to address these serious issues. Right now we are losing too many of our Montana Indian students; they cannot be left behind.

I am a teacher and a school librarian. Literacy and reading are my passion. I'm proud that Montana children rank 3rd in the nation for reading, but too many children are still left behind. Of the 60 Montana schools identified as "in need of improvement," the majority of whom are identified because of a failure of children to read at a proficient level. Children who can't read are at higher risk for everything from dropping out of school to being able to hold a decent job. As state superintendent, I will launch a Montana Literacy Initiative, starting with a Literacy Summit later this year, to focus the attention of parents, teachers, community and business leaders on the importance of reading and literacy. There is no issue closer to my heart.

I pledge to you that I will work hard to make your investment in education pay off. I will put my full effort into strengthening that essential bond between education and economic development. I will work with the leaders of business, labor, agriculture, economic development, and higher education to make sure our students are ready to be the future of Montana's workforce.

Next Wednesday, I will join Senator Max Baucus in Bozeman at a summit regarding the role of education in economic development. We will discuss how Montana schools need to adapt to give our students the tools to rebuild Montana's economy and be able to stay here and put their own kids into our public schools.

Montana must increase our investment in vocational and technical education. Half a century ago, only 20 percent of the American workforce was made up of skilled labor; today, that number has risen to 60 percent. Yet, Montana's spending on career and technical education, including agriculture, industrial technology, and business education, is considerably lower than the rest of the states in the region and country. Economic experts ranging from Qwest to the Montana World Trade Center tell us that one of the best ways to create jobs and raise wages in Montana is to make sure our students are trained for the workforce. This is one economic development program that is a concrete problem with a concrete solution. Give our schools the tools they need and we will turn out the best-trained students in the world!

I know that we Montanans can do whatever we put our minds to. I would like to leave you with a story of how far an honest, hard-working Montanan can go with a quality education.

It is the story of an 8th grade dropout, working as a mine mucker in the copper mines of Butte; a young man who made the best decision of his life by falling in love with a schoolteacher. (My husband, I might add, made the same wise choice.) He was a man of amazing potential, but whose life wasn't going anywhere when he met the woman who would become his wife. In his own words, "She put some sense into me, told me to go to school and make something of myself, and I did."

He certainly did. He completed his high school equivalency, and went to the University of Montana. His wife cashed in her life insurance policy to put him through college, where he would go on to teach as a professor. And that story would be success enough, even if she hadn't convinced him to run for, and helped him win, a seat in the United States Congress, where he would serve five terms before moving on to the Senate where he held the position of Majority Leader longer than anyone else in U.S. history. Finally, he completed his career as Ambassador to Japan under the Carter and Reagan administrations.

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That couple was, of course, Mike and Maureen Mansfield, two of Montana's greatest heroes. They show us what we are capable of. And, if you ask Mike Mansfield the reasons for his success, his answer will always be the same: his wife and his education.

Montanans can do anything. There is simply no doubt of it. But the State of Montana's education is at a fork in the road. Schools can no longer just cut corners and still preserve student services. This round of cuts will hurt students. The decision whether or not to fund schools is in your hands, and I'm proud to stand here with you and make sure we find a way to do it.

Like Mike Mansfield, Montana's students hold incredible potential to rebuild this state. If we let them, there is no telling how far they can take us.

But we must not waste their potential. Shortchanging our children is shortchanging our future. We must invest in our schools.

To paraphrase the late Maureen Mansfield, "We, as a state, need to go to school and make something of ourselves." Thank you very much!

The committee escorted the Superintendent of Public Instruction from the House Chamber.

Senator Thomas moved that the joint session of the 57th legislature be adjourned. Motion carried.

House recessed at 2:03 p.m.

House reconvened at 5:00 p.m. Mr. Speaker in the chair. All members present, except Representatives R. Brown and Gallus, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Hedges, Chairman):

2/16/2001

HB 495, do pass. Report adopted.

HB 498, do pass. Report adopted.

HB 531, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Following: "LEASED"

Insert: "OR SOLD"

2. Page 2, line 1.

Following: "equipment plate"

Insert: "or for which a special demonstration permit"

3. Page 2, line 2.

Following: "plate"

Insert: "or the date determined pursuant to subsection (4)"

4. Page 2, line 17.

Following: "leases"

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Insert: "or sells"

5. Page 2, line 19.

Following: "lease"

Insert: "or the date of the sale"

And, as amended, do pass. Report adopted.

HB 552, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 15.

Following: "charge"

Insert: "of \$5 to \$75, subject to subsection (1)(b),"

3. Page 1, line 17.

Following: "85-7-2104."

Insert: "(b)"

Following: "charge"

Insert: "may exceed \$75, but the charge"

And, as amended, do pass. Report adopted.

HB 599, do pass. Report adopted.

HJR 21, be adopted. Report adopted.

HJR 25, introduced joint resolution, be amended as follows:

1. Page 1, line 10.

Following: "WHEREAS,"

Strike: "much of this"

Insert: "approximately 600,000 acres of the burned"

2. Page 1, line 10 and 11.

Strike: ",over" on line 10 through "alone" on line 11

And, as amended, be adopted. Report adopted.

APPROPRIATIONS (Vick, Chairman):

2/16/2001

HB 533, introduced bill, be amended as follows:

1. Title, page 1, line 10.

Following: ";

Insert: "CLARIFYING THAT CHANGES MUST BE APPROVED IN WRITING;"

2. Page 4, line 13.

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Following: "."

Insert: "The forms must be signed."

3. Page 5, line 4.

Following: "transfer"

Insert: "in writing"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (McKenney, Chairman):

2/16/2001

HB 517, introduced bill, be amended as follows:

1. Page 1, line 17 through line 18.

Strike: "when" on line 17 through "return" on line 18

2. Page 1, line 20 through line 22.

Following: "companies"

Strike: ", " on line 20 through "industries" on line 22

And, as amended, do pass. Report adopted.

HB 519, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "machine"

Strike: "on"

Insert: "during the 12-month period ending"

2. Page 3, line 20.

Following: "machine"

Strike: "on"

Insert: "during the 12-month period ending"

And, as amended, do pass. Report adopted.

HB 537, introduced bill, be amended as follows:

1. Title, line 8.

Following: ";

Insert: "INCREASING THE REQUIRED SURPLUS FUNDS;"

2. Page 2, line 26.

Strike: "\$100,000"

Insert: "\$200,000"

3. Page 2, line 27.

Strike: "\$20,000"

Insert: "\$50,000"

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4. Page 3, line 25 through page 4, line 2.

Strike: "(3)" on page 3, line 25 through "." on page 4, line 2

And, as amended, do pass. Report adopted.

HB 559, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Curtiss, Chairman): 2/16/2001
HB 374, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "policy."

Strike: remainder of line 11 through "state"

Insert: "The legislature finds and declares"

2. Page 1, line 17.

Following: "their"

Strike: "proximity"

Insert: "isolation"

3. Page 1, lines 25 through 30.

Following: "recognize" on line 25

Strike: remainder of line 25 through "members" on line 26

Insert: "the"

Following: "citizenship"

Strike: "and as"

Insert: "that"

Following: "Indians"

Strike: ", and"

Insert: "are entitled to"

Following: "state" on line 26

Strike: remainder of line 26 through "America" on line 30

4. Page 2, line 1.

Following: "are"

Insert: "domestic"

Following: "dependent"

Strike: "domestic"

5. Page 2, line 8.

Strike: "federal law"

Insert: "their respective relationships with the federal government, all of which influence the relationships among tribes and between the tribes and the state"

6. Page 2, lines 11 through 14.

Following: "borne" on line 11

Insert: "in part"

Following: "agencies"

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Strike: remainder of line 11 through "problems" on line 14

7. Page 2, line 15.

Following: "those"

Strike: "solely"

8. Page 2, line 16.

Following: "government"

Insert: "or tribal governments"

9. Page 2, line 22.

Following: "social"

Strike: "services"

Insert: "services"

10. Page 2, line 24.

Following: "~~that~~"

Insert: "to facilitate the discussion and resolution of issues and concerns that Indian tribes have in relation to the state, the federal government, and among themselves,"

11. Page 2, lines 27 and 28.

Following: "communicating" on line 27

Strike: "their opinions and needs"

Insert: "these concerns and interests"

Following: first "to" on line 28

Insert: "relevant"

Following: "~~of~~"

Strike: "with responsibility"

12. Page 2, line 29.

Following: "assist"

Strike: "them"

Following: "organizing"

Strike: "their"

Insert: "these"

13. Page 3, line 1.

Following: "classification"

Strike: "they"

Insert: "the Indian people"

14. Page 3, line 4.

Following: first "tribes"

Strike: "on shared goals and basic principles"

15. Page 3, line 5.

Following: "parties"

Insert: "on shared goals and principles"

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16. Page 3, line 11.

Following: "(a)"

Insert: "meet at least quarterly with tribal governments and"

17. Page 3, line 12.

Following: "meet"

Strike: "quarterly with tribal governments and"

Insert: "with"

18. Page 3, line 13.

Following: "and"

Strike: "department"

Insert: "state agency"

19. Page 3, line 16.

Following: "problems"

Insert: "and issues"

20. Page 3, line 17.

Following: "problems"

Insert: "and issues"

21. Page 3, line 20.

Following: "act"

Strike: "on behalf of"

Insert: "as a liaison for"

22. Page 3, line 21.

Following: "tribal"

Insert: "governmental"

23. Page 4, line 7.

Following: "(a)"

Insert: "meet at least quarterly with tribal governments and"

Following: "~~shall~~"

Insert: ";

24. Page 4, line 8.

Following: "meet"

Strike: "quarterly with tribal governments and"

Insert: "with"

25. Page 4, line 9.

Strike: "department"

Insert: "state agency"

26. Page 4, line 12.

Following: "problems"

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Insert: "and issues"

27. Page 4, line 14.

Following: "problems"

Insert: "and issues;"

28. Page 4, line 16.

Following: "affairs"

Insert: ";"

29. Page 4, line 17.

Strike: "on behalf of"

Insert: "as a liaison for"

30. Page 4, line 18.

Following: "tribal"

Insert: "governmental"

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Fuchs, Chairman):

2/16/2001

HB 282, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "A DELAYED"

Insert: "AN IMMEDIATE"

2. Page 1, line 21.

Following: "(1)"

Strike: "The"

Insert: "In addition to any other either-sex elk permits offered for sale, the "

3. Page 1, line 22.

Following: "permit"

Insert: "at no cost"

4. Page 1, line 25.

Following: "own"

Strike: "at least 5,000 acres of"

Following: "habitat"

Strike: "or a lesser amount of land"

5. Page 1, line 29.

Strike: "reasonable"

6. Page 2, line 2 through line 3.

Following: "may not" on line 2

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Strike: remainder of line 2 through "year" on line 3

Insert: "be a cooperating landowner in the state hunter management program, hunting access enhancement program, or block management program"

7. Page 2, line 4.

Strike: "A permit may be"

Insert: "Not more than 20% of permits"

Following: "section"

Insert: "may be issued"

8. Page 2, line 5.

Following: "authorized"

Insert: "full-time"

9. Page 2, line 5.

Following: "landowner."

Insert: "The remaining 80% must be issued to the public on a first-come, first-serve basis."

10. Page 2, line 10 through line 13.

Following: "(5)" on line 10

Strike: remainder of line 10 through "section, the" on line 13

Insert: "The"

11. Page 2, line 17.

Following: "landowner"

Insert: "or landowner's designee"

12. Page 2, line 29.

Following: "effective"

Strike: "March 1, 2002"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 554, do pass. Report adopted.

SB 54, be concurred in. Report adopted.

JUDICIARY (Shockley, Chairman):

2/17/2001

HB 151, introduced bill, be amended as follows:

1. Page 6, line 8.

Strike: "or the probation and parole officer"

2. Page 8, line 4.

Following: "center"

Insert: ", with credit for time served since the time of arrest,"

And, as amended, do pass. Report adopted.

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HB 254, introduced bill, be amended as follows:

1. Title, line 5.

Following: "EFFECT"

Insert: "FOR 120 DAYS OR"

2. Title, line 6.

Following: "SECTIONS"

Strike: "25-13-101, 25-13-102,"

Following: "25-13-402"

Strike: ", "

Insert: "AND"

Following: "25-13-404,"

Strike: "AND"

3. Title, line 7.

Strike: "25-13-614,"

4. Page 1, line 11 through line 23.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

5. Page 1, line 26.

Following: "shall"

Insert: ", subject to subsection (5),"

6. Page 1, line 27.

Strike: "60"

Insert: "120"

7. Page 2, line 7 through line 8.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

8. Page 2, line 13.

Following: "if"

Strike: "Subject to 25-13-614(5), if"

Insert: "If"

9. Page 2, line 14.

Strike: "60"

Insert: "120"

10. Page 2, line 16.

Following: line 15

Insert: "(5) (a) A levy upon the earnings of a judgment debtor continues in effect for 120 days or until the judgment is satisfied, whichever occurs first. The levy applies to all pay periods beginning on the date of service through the expiration of the writ.

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(b) The sheriff or levying officer shall clearly mark the date and time of service and the expiration date upon all served copies of the writ and notice.

(c) The requirements of 25-13-211 are considered satisfied by the one-time service of the notification of seizure upon the judgment debtor during the period for which the levy upon the earnings of a judgment debtor is in effect. The notification must be served within 5 days of receipt of the first payment by the sheriff or levying officer. The 10-day holding period described in subsection (3) runs from the date of notification of seizure with respect to the first payment and from the date of the receipt of subsequent payments.

(d) Except as provided in subsection (6), multiple levies served under subsection (5) have priority according to the date and time of service upon the employer.

(e) The return of service on a levy upon the earnings of a judgment debtor is returned in the same manner provided for in 25-13-404.

(6) Nothing in this section is intended to supersede any state or federal laws regarding priority that must be given to certain levies and executions."

11. Page 2, lines 18 and 19.

Strike: "~~25-13-614(5)~~" on line 18 through "(2) and" on line 19

Insert: "25-13-402(5) and subsection"

12. Page 2, line 20.

Strike: "60"

Insert: "120"

13. Page 2, line 23.

Strike: "90"

Insert: "120"

14. Page 2, line 23 through line 24.

Following: "sheriff" on line 23

Strike: remainder of line 23 through "officer" on line 24

15. Page 2, line 29 through page 3, line 26.

Strike: section 5 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 261, introduced bill, be amended as follows:

1. Page 1, line 20 through page 2, line 2.

Strike: subsections (2) and (3) in their entirety

Renumber: subsequent subsections

2. Page 2, line 12 through line 16.

Strike: subsection (5) in its entirety

3. Page 2, line 22.

Following: "knowingly"

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Insert: "engages in"

4. Page 2, line 23 through line 29.

Strike: subsections (a) through (c) in their entirety

Insert: "(a) the procurement, possession, or use of chemicals, precursors to dangerous drugs, supplies, equipment, or a laboratory location for the criminal production or manufacture of dangerous drugs as prohibited by 45-9-110;

(b) the transportation of or arranging for the transportation of chemicals, precursors to dangerous drugs, supplies, or equipment for the criminal production or manufacture of dangerous drugs as prohibited by 45-9-110;

(c) the setting up of equipment or supplies in preparation for the criminal production or manufacture of dangerous drugs as prohibited by 45-9-110; or

(d) the sale or other distribution or disposal of chemicals, precursors to dangerous drugs, supplies, equipment, or products used in or produced by the criminal production or manufacture of dangerous drugs as prohibited by 45-9-110.

5. Page 3, line 4 through line 5.

Strike: "the" on line 4 through "that" on line 5

Insert: "[section 1 of House Bill No. 521] is complied with and"

6. Page 3, line 6.

Strike: "to human health or safety or a danger to the environment"

Insert: "of death of or serious bodily injury to another"

7. Page 3, line 10 through line 11.

Strike: "the" on line 10 through "that" on line 11

Insert: "[section 1 of House Bill No. 521] is complied with and"

8. Page 3, line 15.

Following: "provisions of Title 45"

Strike: ", chapter 9, part 1,"

9. Page 3, line 17.

Insert: "NEW SECTION. Section 4. Coordination instruction. If House Bill No. 521 is not passed and approved, then the words "[section 1 of House Bill No. 521] is complied with and" must be deleted from subsections (3) and (4) of [section 2 of this act]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 313, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

Strike: "PROVIDING" on page 1, line 5 through "FACILITATORS;" on page 1, line 6

2. Page 1, line 20 through line 29.

Strike: section 1 in its entirety

Renumber: subsequent sections

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3. Page 2, line 1.

Strike: "15]"

Insert: "4]"

4. Page 2, line 5 through line 13.

Strike: subsections (2) through (4) in their entirety

Renumber: subsequent subsections

5. Page 2, line 17.

Strike: "15]"

Insert: "4]"

6. Page 2, line 18.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

7. Page 2, line 21.

Following: "location"

Insert: "and confidential information not related to the offense"

8. Page 2, line 26 through line 27.

Strike: subsection (11) in its entirety

Renumber: subsequent subsections

9. Page 2, line 24.

Page 2, line 25.

Page 2, line 29.

Page 5, line 4, in two places.

Page 5, line 24.

Page 5, line 26.

Page 6, line 25, in two places.

Page 7, line 2, in two places.

Page 7, line 3, in two places.

Page 7, line 9, in two places.

Page 7, line 11, in two places.

Strike: "certified"

10. Page 3, line 1.

Strike: "psycho educational"

Insert: "psychoeducational"

11. Page 3, line 12 through page 4, line 26.

Strike: section 3 through section 5 in their entirety

Renumber: subsequent sections

12. Page 3, line 8 through line 9.

Strike: subsection 15 in its entirety

Renumber: subsequent subsection

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13. Page 5, line 3.

Following: "report"

Insert: "related to the offense charged"

14. Page 5, line 5.

Following: "counseling."

Insert: "Before the report is sent, information in the report that relates to the victim's location or does not relate to the charged offense must be deleted."

15. Page 5, line 6.

Strike: "court's"

16. Page 5, line 11 through page 6, line 8.

Strike: section 7 through section 8 in their entirety

Renumber: subsequent sections

17. Page 6, line 23 through line 26.

Strike: section 10 in its entirety

Renumber: subsequent sections

18. Page 7, line 10.

Strike: "extreme"

Insert: "imminent"

19. Page 7, line 15 through page 8, line 12.

Strike: section 12 through section 15 in their entirety

Renumber: subsequent sections

20. Page 9, line 30.

Strike: "15"

Insert: "4]"

21. Page 11, line 5.

Strike: "2"

Insert: "1]"

22. Page 11, line 6.

Strike: "2"

Insert: "1]"

23. Page 11, line 9.

Following: "location"

Insert: "or not related to the charged offense"

24. Page 11, line 14.

Strike: "2"

Insert: "1]"

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25. Page 11, line 16.

Strike: "2]"

Insert: "1]"

26. Page 11, line 19.

Following: "program."

Insert: "The preliminary assessment and counseling must be:

(i) with a person licensed under Title 37, chapter 17, 22, or 23;

(ii) with a professional person as defined in 53-21-102; or

(iii) in a specialized domestic violence intervention program."

27. Page 11, line 25 through line 30.

Strike: line 25 through line 30 in their entirety

28. Page 12, line 13 through line 18.

Strike: section 18 in its entirety

Renumber: subsequent section

29. Page 12, line 20.

Strike: "15]"

Insert: "4]"

30. Page 12, line 21 through line 22.

Following: "integral part of" on line 21

Strike: "Title 37" on line 21 through end of line 22

Insert: "Title 45, chapter 5, part 2, and the provisions of Title 45 apply to [sections 1 through 4]."

And, as amended, do pass. Report adopted.

HB 419, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "AGRICULTURE"

Insert: "FISH"

2. Title, page 1, line 6.

Strike: "NATURAL RESOURCES"

Insert: "PARKS"

3. Page 1, line 10.

Strike: "Natural resources"

Insert: "Fish, wildlife, and parks"

Strike: "natural resources"

Insert: "fish, wildlife, and parks"

4. Page 1, line 12.

Strike: "shall"

Insert: "may"

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5. Page 1, line 13.

Following: "prosecute"

Insert: "criminal"

6. Page 1, line 13 through line 14.

Strike: "departments" on line 13 through "conservation" on line 14
Insert: "department of fish, wildlife, and parks"

7. Page 1, line 15 through page 19.

Strike: ":" on line 15 through "attorneys" on line 19

Insert: "a half-time attorney"

8. Page 1, line 20.

Strike: "departments"

Insert: "department"

9. Page 1, line 20.

Following: "of,"

Insert: "criminal"

10. Page 1, line 20 through line 21.

Strike: "agriculture" on line 20 through "laws" on line 21

Insert: "Title 87"

And, as amended, do pass. Report adopted.

HB 471, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "MANUFACTURED"

Insert: "FACTORY-BUILT MODULAR"

2. Title, line 6.

Strike: "MANUFACTURED"

Insert: "FACTORY-BUILT MODULAR"

3. Title, line 11.

Strike: "HOUSING TO EXTEND A LINE OF CREDIT"

Insert: "INVESTMENTS TO MAKE AN INTERCAP LOAN"

4. Title, lines 14 and 15.

Following: "ONCE THE" on line 14

Strike: "LINE OF CREDIT"

Insert: "LOAN"

Following: "APPROPRIATING THE"

Strike: remainder of line 14 through "CREDIT" on line 15

Insert: "LOAN PROCEEDS"

5. Page 1, line 20.

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Strike: "manufactured"

Insert: "factory-built modular"

6. Page 1, line 21.

Strike: "manufactured"

Insert: "factory-built modular"

7. Page 1, line 27.

Strike: "manufactured"

Insert: "factory-built modular"

8. Page 1, line 28.

Strike: "housing for any line of credit extended"

Insert: "investments for any intercap loan made"

9. Page 3, line 7.

Strike: "manufactured"

Insert: "factory-built modular"

10. Page 3, line 8.

Strike: "manufactured"

Insert: "factory-built modular"

Strike: "."

Insert: ". Homes built by the program must be constructed in a manner that will achieve energy conservation goals similar to the goals established for the weatherization and energy assistance programs described in 90-4-201."

11. Page 4, line 22.

Strike: "manufactured"

Insert: "factory-built modular"

12. Page 6, line 25.

Following: "and"

Insert: "and"

13. Page 6, line 28 through page 7, line 1.

Following: "means" on line 28

Strike: remainder of line 28 through "11" on page 7, line 1

14. Page 7, lines 2 and 3.

Following: "shall" on line 2

Strike: remainder of line 2 through "a" on line 3

15. Page 7, lines 4 through 6.

Strike: "manufactured" on line 4

Insert: "factory-built modular"

Following: "11" on line 4

Strike: remainder of line 4 through "homes" on line 6

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16. Page 7, line 8.

Strike: "Line of credit"

Insert: "Loan"

Strike: "manufactured"

Insert: "factory-built modular"

17. Page 7, line 9.

Strike: "line of credit extended"

Insert: "board of investments may make an intercap loan to the department of corrections in an amount that does not exceed \$2 million. The amount of the loan made"

18. Page 7, line 10.

Strike: "by the board of housing under 90-6-104"

Strike: "manufactured"

Insert: "factory-built modular"

19. Page 7, line 12.

Strike: "line of credit"

Insert: "loan proceeds"

20. Page 7, line 20.

Strike: "line of credit"

Insert: "loan"

Strike: "housing"

Insert: "investments"

21. Page 7, line 21.

Strike: "manufactured"

Insert: "factory-built modular"

And, as amended, do pass. Report adopted.

HB 521, do pass. Report adopted.

HB 560, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "an"

Insert: "a written"

2. Page 1, line 24.

Strike: "an"

Insert: "a written"

And, as amended, do pass. Report adopted.

HB 603, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

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Strike: "REQUIRING" on line 6 through "AGENCY" on line 7

Insert: "EXPANDING THE REQUIREMENTS FOR NOTICE TO AND INTERACTION WITH THE ATTORNEY GENERAL WHEN A STATE AGENCY IS A PARTY TO A PROCEEDING FOR WHICH JUDICIAL REVIEW IS SOUGHT"

2. Page 1, line 14.

Following: "general"

Insert: "when state is party to judicial review -- consultation with attorney general"

3. Page 1, line 14 through line 17.

Strike: "When" on line 14 through "days" on line 17

Insert: "(1) If the state or a department, officer, or board of the state appeals from a judgment or order entered in any court or files a petition for a writ seeking review of a matter in any appellate court, the attorney representing the state, department, officer, or board shall notify the attorney general within a reasonable time in advance of the filing of the notice or petition. The attorney shall serve a copy of the notice of appeal or of the petition on the attorney general and provide the attorney general on request a copy of the order, judgment, or opinion for which review is sought.

(2) If a notice of appeal or petition for a writ seeking review in any appellate court is served upon the state or a department, officer, or board of the state, the party serving the notice or petition shall serve a copy on the attorney general as well as on any other counsel required by law to be served.

(3) Upon request of the attorney general, the attorney litigating a matter before an appellate court on behalf of the state or a department, officer, or board of the state for which service on the attorney general is required under this section shall consult with the attorney general as to the litigation of the matter before the appellate court"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Noennig, Chairman):

2/16/2001

HB 371, do pass. Report adopted.

HB 439, do pass. Report adopted.

HB 440, do pass. Report adopted.

HJR 24, be adopted. Report adopted.

NATURAL RESOURCES (Younkin, Chairman):

2/16/2001

HB 304, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "REGULATIONS"

Insert: "BY LOCAL GOVERNING BODIES AND LOCAL BOARDS OF HEALTH"

2. Title, page 1, line 7.

Following: "BODY"

Insert: "OR A LOCAL BOARD OF HEALTH"

3. Title, page 1, line 8 through line 9.

Following: "REGULATION;"

Strike: "REDUCING" on line 8 through "SECTION" on line 9

Insert: "AMENDING SECTIONS 50-2-130 AND"

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4. Page 1.

Following: line 12

Insert: "Section 1. Section 50-2-130, MCA, is amended to read:

"50-2-130. Local regulations no more stringent than state regulations rules or guidelines. (1) After April 14, 1995, except as provided in subsections (2) through (4) or unless required by state law, the local board may not adopt a rule regulation under 50-2-116(1)(i), (2)(k)(iii), or (2)(k)(v) that is applicable to subdivisions that is more stringent than the comparable state regulations rules or guidelines that address the same circumstances. The local board may incorporate by reference comparable state regulations rules or guidelines.

(2) The local board may adopt a rule regulation to implement 50-2-116(1)(i), (2)(k)(iii), or (2)(k)(v) that is applicable to subdivisions that is more stringent than comparable state regulations rules or guidelines only if the local board makes a written finding, after a public hearing and public comment and based on evidence in the record, that:

(a) the proposed local standard or requirement protects is necessary to protect public health or the environment; ~~and~~

(b) the applicable state rules or guidelines are inadequate to protect public health or the environment;

~~(b)(c)~~ (c) the proposed local board standard or requirement to be imposed can will mitigate harm to the public health or the environment as demonstrated by comparable information or peer-reviewed scientific studies, either of which relate directly to the specific local conditions that require the more stringent local standard or requirement; and

(d) the proposed local standard or requirement is achievable under current technology; and

(e) the cost to the regulated community to implement the proposed local standard or requirement is reasonable.

(3) The written finding must reference comparable information that relates to specific local conditions and peer-reviewed scientific studies contained in the record that forms the basis for the local board's conclusion. The written finding must also include information from the hearing record regarding the costs to the regulated community that are directly attributable to the proposed local standard or requirement.

(4) (a) A person affected by a rule regulation of the local board adopted after January 1, 1990, and before April 14, 1995, that that person believes to be more stringent than comparable state regulations rules or guidelines may petition the local board to review the rule regulation. If the local board determines that the rule regulation is more stringent than comparable state regulations rules or guidelines, the local board shall comply with this section by either revising the rule regulation to conform to the state regulations rules or guidelines or by making the written finding, as provided under subsection (2), within a reasonable period of time, not to exceed ~~12~~ 3 months after receiving the petition. A petition under this section does not relieve the petitioner of the duty to comply with the challenged rule regulation. The local board may charge a petition filing fee in an amount not to exceed \$250.

(b) A person may also petition the local board for a rule regulation review under subsection (4)(a) if the local board adopts a rule regulation after January 1, 1990, in an area in which no state regulations rules or guidelines existed and the state government subsequently establishes comparable regulations rules or guidelines that are less stringent than the regulation previously adopted by the local board rule.""

Renumber: subsequent sections

5. Page 1, line 25.

Strike: "comparable"

Insert: "applicable"

6. Page 1, line 28.

Following: "by"

Strike: "site-specific information and"

Insert: "comparable information or"

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7. Page 1, line 29.

Following: "studies"

Strike: "relating directly to the"

Insert: ", either of which relate directly to the specific local"

8. Page 2, line 2.

Following: "is"

Strike: "not unreasonable"

Insert: "reasonable"

9. Page 2, line 3.

Following: "reference"

Strike: "site-specific information"

Insert: "comparable information that relates to specific local conditions"

10. Page 2, line 15.

Strike: "\$100"

Insert: "\$250"

11. Page 2, line 23.

Following: "amending"

Insert: "50-2-130, and [section 2(2) and (3)], amending"

And, as amended, do pass. Report adopted.

HB 420, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "CONDEMNOR"

Insert: "PERSON"

2. Title, page 1, line 5.

Strike: "CONDEMNEE"

Insert: "PROPERTY OWNER"

Strike: "CONDEMNEE'S"

Insert: "PROPERTY OWNER'S"

3. Page 1, line 15 through line 17.

Strike: "The" on line 15 through "action." on line 17

Insert: "A person authorized by law to acquire a property interest through the right of eminent domain is required to provide the property owner with a statement of the property owner's rights if an eminent domain action occurs."

4. Page 1, line 28.

Following: ";

Insert: "and"

5. Page 1, lines 29 and 30.

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Following: "constitution"

Strike: "; and"

Insert: "."

6. Page 2, line 1.

Strike: line 1 in its entirety

And, as amended, do pass. Report adopted.

HB 485, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND" through "USE"

2. Page 8, line 13.

Following: "(8)"

Strike: "(a)"

Following: "use"

Strike: "50%"

Insert: "100%"

3. Page 8, line 15 through line 16.

Strike: subsection (b) in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Walters, Chairman):

2/16/2001

HB 116, introduced bill, be amended as follows:

1. Page 22, line 2.

Strike: "on"

Insert: "from"

2. Page 23, line 13.

Strike: "on"

Insert: "from"

3. Page 25, line 30.

Strike: "first become"

Insert: "be"

And, as amended, do pass. Report adopted.

HB 496, introduced bill, be amended as follows:

1. Title, page 1, line 13.

Following: "YEARS;"

Insert: "AMENDING THE CONTENT OF THE LEVY NOTICE ON A WRIT OF EXECUTION;"

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2. Title, page 1, line 17.

Following: "25-13-101,"

Insert: "25-13-301,"

3. Page 4.

Following: line 7

Insert: "**Section 8.** Section 25-13-301, MCA, is amended to read:

"25-13-301. Form and contents of writ. (1) The writ of execution must:

(a) be issued in the name of the state of Montana, sealed with the seal of the court, and subscribed by the clerk;

(b) be directed to the sheriff or levying officer;

(c) intelligibly refer to the judgment, stating the court and the county where it was entered and, if it is for money, the amount of money and the amount actually due on the judgment; and

(d) require the sheriff or levying officer to act substantially as provided in this part.

(2) In executions, the amount of the execution must be computed and stated as near as may be possible in dollars and cents, rejecting fractions of a cent.

(3) A writ of execution served upon an employer of the judgment debtor must be accompanied by a document that reasonably describes the exemptions from execution provided in 25-13-614.

(4) A notice of levy provided by the sheriff or levying officer must contain the full name and last-known address of the judgment debtor and, if known by the judgment creditor, the judgment debtor's tax identification number or social security number."

Renumber: subsequent sections

4. Page 4, line 13.

Strike: "and"

5. Page 4, line 15.

Following: "judgment"

Insert: "; and

(d) (i) personally serving the writ on the third party, if the property is held by a third party, or, if the third party is a corporation or other legal entity, personally serving the writ on an officer or other supervisory person of the entity; and

(ii) noting on the original writ and on the return of writ the time and date that the writ was personally served"

6. Page 4, line 22.

Following: "occurred."

Insert: "(4)"

Renumber: subsequent subsections

7. Page 4, line 23.

Strike: ", other than earnings of a judgment debtor,"

8. Page 4, line 25 through line 26.

Following: "made"

Strike: "to" on line 25 through "property" on line 26

9. Page 4, line 26.

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Strike: "2"
Insert: "10"

10. Page 4, line 27.

Following: "levy"

Insert: "by delivering the assets or payments to the sheriff or levying officer"

And, as amended, do pass. Report adopted.

HB 565, do pass. Report adopted.

TAXATION (Story, Chairman):

2/16/2001

HB 377, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "ENDOWMENTS;"

Insert: "ESTABLISHING LIMITATIONS FOR CERTAIN TECHNIQUES USED FOR PLANNED GIFTS TO QUALIFIED ENDOWMENTS; REDUCING THE AMOUNT OF THE CREDIT FOR PLANNED GIFTS AND FOR CHARITABLE GIFTS;"

Following: "AMENDING"

Insert: "SECTIONS 15-30-165, 15-30-166, AND 15-31-161, MCA, AND"

2. Page 1.

Following: line 9

Insert: "Section 1. Section 15-30-165, MCA, is amended to read:

"**15-30-165. (Temporary) Qualified endowments credit -- definitions.** For the purposes of 15-30-166, the following definitions apply:

(1) "~~Planned gift~~" Subject to subsection (3), "planned gift" means an irrevocable contribution to a permanent endowment held by a tax-exempt organization, or for a tax-exempt organization, when the contribution uses any of the following techniques that are authorized under the Internal Revenue Code:

- (a) charitable remainder unitrusts, as defined by 26 U.S.C. 664;
- (b) charitable remainder annuity trusts, as defined by 26 U.S.C. 664;
- (c) pooled income fund trusts, as defined by 26 U.S.C. 642(c)(5);
- (d) charitable lead unitrusts qualifying under 26 U.S.C. 170(f)(2)(B);
- (e) charitable lead annuity trusts qualifying under 26 U.S.C. 170(f)(2)(B);
- (f) charitable gift annuities undertaken pursuant to 26 U.S.C. 1011(b);
- (g) deferred charitable gift annuities undertaken pursuant to 26 U.S.C. 1011(b);
- (h) charitable life estate agreements qualifying under 26 U.S.C. 170(f)(3)(B);
- (i) paid-up life insurance policies meeting the requirements of 26 U.S.C. 170.

(2) "Qualified endowment" means a permanent, irrevocable fund that is held by a Montana incorporated or established organization that:

- (a) is a tax-exempt organization under 26 U.S.C. 501(c)(3); or
- (b) is a bank or trust company, as defined in Title 32, chapter 1, part 1, that is holding the fund on behalf of a tax-exempt organization. (Terminates December 31, 2001--sec. 9, Ch. 537, L. 1997.)

(3) (a) A contribution using a technique described in subsection (1)(a) or (1)(b) is not a planned gift unless the trust agreement provides that the trust may not terminate and the beneficiaries' interest in the trust may not be assigned or contributed to the qualified endowment sooner than the earlier of:

- (i) the date of death of the beneficiaries; or

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(ii) 5 years from the date of the contribution.

(b) A contribution using the technique described in subsection (1)(g) is not a planned gift unless the payment of the annuity is required to begin within the life expectancy of the annuitant or of the joint life expectancies of the annuitants, if more than one annuitant, as determined using the actuarial tables described in section 72 of the Internal Revenue Code, 26 U.S.C. 72, in effect on the date of the contribution.

(c) A contribution using a technique described in subsection (1)(f) or (1)(g) is not a planned gift unless the annuity agreement provides that the beneficiaries' interest in the deferred gift annuity may not be assigned to the qualified endowment sooner than the earlier of:

(i) the date of death of the beneficiaries; or

(ii) 5 years after the date of the contribution."

Insert: "Section 2. Section 15-30-166, MCA, is amended to read:

"15-30-166. (Temporary) Credit for contributions to qualified endowment. (1) A taxpayer is allowed a tax credit against the taxes imposed by 15-30-103 or 15-31-101 in an amount equal to ~~50%~~ 40% of the present value of the aggregate amount of the charitable gift portion of a planned gift made by the taxpayer during the year to any qualified endowment. The maximum credit that may be claimed by a taxpayer for contributions made from all sources in a year is \$10,000. The credit allowed under this section may not exceed the taxpayer's income tax liability.

(2) The credit allowed under this section may not be claimed by an individual taxpayer if the taxpayer has included the full amount of the contribution upon which the amount of the credit was computed as a deduction under 15-30-121(1) or 15-30-136(2).

(3) There is no carryback or carryforward of the credit permitted under this section, and the credit must be applied to the tax year in which the contribution is made. (Terminates December 31, 2001--sec. 9, Ch. 537, L. 1997.)"

Insert: "Section 3. Section 15-31-161, MCA, is amended to read:

"15-31-161. (Temporary) Credit for contribution by corporations to qualified endowment. A corporation is allowed a credit in an amount equal to ~~50%~~ 20% of a charitable gift against the taxes otherwise due under 15-31-101 for charitable contributions made to a qualified endowment, as defined in 15-30-165. The maximum credit that may be claimed by a corporation for contributions made from all sources in a year under this section is \$10,000. The credit allowed under this section may not exceed the corporate taxpayer's income tax liability. The credit allowed under this section may not be claimed by a corporation if the taxpayer has included the full amount of the contribution upon which the amount of the credit was computed as a deduction under 15-31-114. There is no carryback or carryforward of the credit permitted under this section, and the credit must be applied to the tax year in which the contribution is made. (Terminates December 31, 2001--sec. 9, Ch. 537, L. 1997.)"

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 378, introduced bill, be amended as follows:

1. Title, page 1, line 6 and line 7.

Strike: "ALLOCATING" on line 6 through "MCA" on line 7

Insert: "ALLOWING THE DEPARTMENT OF TRANSPORTATION TO ACCEPT GIFTS, GRANTS, OR DONATIONS FOR THE ACCOUNT"

2. Title, page 1, line 7 and page 8.

Strike: the second "AND" on line 7 through "DATE" on line 8

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3. Page 1, line 12.

Following: "account."

Insert: "(1)"

4. Page 1.

Following: line 15

Insert: "(2) The department may accept gifts, grants, or donations for the engineering and operating study."

5. Page 1, line 17 through page 4, line 11.

Strike: section 2 in its entirety

Renumber: subsequent sections

6. Page 4, line 19.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

HB 578, do pass. Report adopted.

TRANSPORTATION (Somerville, Chairman):

2/16/2001

HB 461, introduced bill, be amended as follows:

1. Page 7, line 15.

Strike: "under this subsection (10)(i)"

And, as amended, do pass. Report adopted.

HB 502, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HJR 33, introduced by Gillan, Branae, Dell, Devlin, Eggers, Forrester, Fuchs, Glaser, Golie, Hedges, R. Holden, Hurdle, Laszloffy, Lenhart, Lindeen, Matthews, McCann, McGee, McNutt, Musgrove, Nelson, Noennig, Pease, A. Peterson, K. Peterson, Schruppf, Smith, Sprague, Steinbeisser, Waitschies, referred to Agriculture.

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 167 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Devlin, Esp, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Haines, Hedges, Himmelberger, Holden, Jackson, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McKenney, Mood,

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Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 77

Noes: Bixby, Callahan, Carney, P. Clark, Dell, Eggers, Erickson, Facey, Gallik, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Juneau, Kaufmann, Mangan, McCann, Newman, Raser, Schmidt, Wanzenried.

Total 23

Voted Absentee: R. Brown, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 247 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Forrester, Fuchs, Gallus, Galvin-Halcro, Gillan, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, 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, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 88

Noes: Callahan, Erickson, Facey, Fritz, Gallik, Golie, Gutsche, Hurdle, Kaufmann, Keane, Mangan, Smith.

Total 12

Voted Absentee: R. Brown, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 387 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, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome,

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Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 94

Noes: Gallik, Kaufmann, Keane, Newman, Raser, Story.
Total 6

Voted Absentee: R. Brown, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 392 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, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.
Total 94

Noes: Adams, D. Brown, Kasten, Pattison, Smith, Witt.
Total 6

Voted Absentee: R. Brown, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 408 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, 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, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Witt, Wolery, Younkin, Mr. Speaker.

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Total 96

Noes: Galvin-Halcro, Lewis, Mood, Whitaker.

Total 4

Voted Absentee: R. Brown, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Sliter moved that **HB 456** be taken from the Committee on Appropriations and rereferred to the Committee of the Whole for Legislative Day 41. Motion carried

Representative Sliter moved that **HB 495** be taken from the Committee of the Whole and rereferred to the Committee on Agriculture. Motion carried.

Representative Sliter moved that **HB 598** be taken from the Committee on Judiciary and rereferred to the Committee on Appropriations. Motion carried.

Representative Schmidt moved to suspend the rules for introduction of a late Senate bill. There being no objections, so ordered.

Representative Sliter moved that **HB 565** be taken from the Committee of the Whole and rereferred to the Committee on State Administration. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 8:00 a.m., Saturday, February 17, 2001. Motion carried.

House adjourned at 5:16 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House