

**HOUSE JOURNAL  
57<sup>TH</sup> LEGISLATURE  
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
February 19, 2001

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Bitney, Bookout-Reinicke, Holden, and Juneau, excused. Quorum present.

Mr. Speaker introduced the pages of the week:

Roni Burns, Helena  
Christina Wiederrich, Saco  
Chetti Preble, Forsyth  
Patrick Norris, Great Falls  
Kelly Norris, Great Falls  
Roxanna Mason, Forsyth  
Nichole Feld, Billings  
Dru DeMato, East Helena  
Ginger Hoppert, Forsyth

Representative Jacobson led the House in singing Happy Birthday to Representatives Roy Brown and Don Hedges.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 2/19/2001  
Correctly printed: **HB 313, HB 515, HB 533, HB 560, HB 569, HB 585, HB 603, HJR 29.**  
Correctly engrossed: **HB 332, HB 334, HB 424, HB 434, HB 548, HJR 16, HJR 17.**  
Examined by the sponsor and found to be correct: **HB 235.**

**AGRICULTURE** (Hedges, Chairman): 2/19/2001  
**HB 418**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "DISTRICT,"

**Insert:** "THE OWNERS OR POSSESSORS OF"

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

**Strike:** "AFFECTED OWNERS OR POSSESSORS OF"

3. Title, page 1, line 8.

**Strike:** "AND"

**Following:** "MCA"

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

4. Page 1, line 14.

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**Following:** "constructed"

**Strike:** "or"

**Insert:** "by the entities creating the herd district or being annexed into the herd district and must be"

5. Page 1, line 21.

**Following:** "aH"

**Insert:** "the owners or possessors of"

**Following:** "affected"

**Strike:** "owners or possessors of"

6. Page 2, line 12.

**Insert:** "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

7. Page 2, line 12.

**Insert:** "NEW SECTION. Section 5. Applicability. [This act] applies to herd districts created or annexation actions that occur after [the effective date of this act]."

And, as amended, do pass. Report adopted.

**HB 495**, introduced bill, be amended as follows:

1. Title, line 4.

**Strike:** "REVISING" through ";

2. Title, lines 4 and 5.

**Following:** "FOR"

**Strike:** "A SIMPLE"

**Insert:** "THE"

**Strike:** "OR METAL"

3. Title, line 5 through line 11.

**Following:** "PERMITS;" on line 5

**Strike:** remainder of line 5 through "MCA;" on line 11

**Insert:** "AND"

4. Page 1, line 16 through page 4, line 17.

**Strike:** section 1 through section 7

**Insert:** "NEW SECTION. Section 1. Operating permit revocation -- permit transfer. (1) The revocation of a mine operating permit by the department under this part applies only to the person holding the permit and does not dissolve or extinguish the operating permit. An operating permit that is revoked in accordance with this part does not terminate until 5 years after revocation or until substantial completion of seeding and planting on disturbed areas, whichever occurs earlier. After revocation and before termination of a permit, the department shall ensure that the site reclamation and environmental monitoring requirements of a revoked operating permit are implemented to standards no less than those specified in the revoked operating permit and reclamation plan.

(2) A person may apply for the transfer of a revoked permit that has not terminated by submitting an application to the department that contains the information required for a permit applicant in 82-4-222(1)(b) through (1)(i). Upon receipt of an application from a person who is not precluded from holding a permit pursuant to this part, the department shall cease reclamation activities on the permit area.

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(3) The department may not require the applicant to submit any additional information unless the department can show that significant changes in the environmental baseline data have occurred during the period of operation or since the revocation of the initial operating permit.

(4) The department may not prepare a review under 75-1-201 for a transfer unless the department determines that the operation has caused or may cause significant impacts that have not been analyzed previously in an environmental review document prepared pursuant to 75-1-201.

(5) The department shall process an application for transfer under the same timeframes as are provided in 82-4-231 for processing of permit applications.

(6) Except as provided in subsection (7), the department shall, after receipt of an application pursuant to subsections (2) through (5) and after public notice and opportunity for comment:

(a) transfer the operating permit to a new operator if the new operator provides proof of site ownership or control and adequate bonding as required by this part; and

(b) require as a condition of permit transfer that, prior to creating additional disturbance at the site, all preexisting permit deficiencies, including modifications necessary because of reclamation that has been conducted at the site, be corrected to the satisfaction of the department and that any preestablished environmental monitoring requirements continue.

(7) The department may not transfer any permit for which it has determined that:

(a) the requirements of this part and the rules adopted under this part for operation, backfilling, grading, subsidence stabilization, water control, highwall reduction, topsoiling, revegetation, and reclamation of the affected area cannot be met;

(b) significant changes in the operating plan or reclamation plan are necessary;

(c) environmental data has not been collected and recorded in substantial compliance with the environmental monitoring requirements of this part, rules adopted under this part, or the permit; or

(d) the department would be precluded from issuing a permit to the applicant by 82-4-227(11) or (12).

(8) The department is not required to reimburse the former permittee or surety for funds expended for reclamation, monitoring, or site maintenance prior to permit transfer."

**Renumber:** subsequent sections

5. Page 4, line 19 through line 22.

**Strike:** subsection (1) in its entirety

6. Page 4, line 22.

**Strike:** "(2)"

7. Page 4, line 22.

**Strike:** "3"

**Insert:** "1"

8. Page 4, line 23.

**Strike:** "3"

**Insert:** "1"

And, as amended, do pass. Report adopted.

**HB 571**, introduced bill, be amended as follows:

1. Title, line 5.

**Following:** "FOR"

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**Insert:** "CERTAIN"

2. Title, lines 5 and 6.

**Strike:** "BUILT" on line 5 through "ACT" on line 6

**Insert:** "USED"

3. Title, line 6.

**Following:** "STORAGE,"

**Strike:** "PESTICIDE"

**Following:** "MIXING"

**Insert:** ", "

**Strike:** "SITES,"

**Following:** "AND"

**Insert:** "FOR"

4. Title, line 7.

**Strike:** "OWNED" through "ENTITY"

5. Page 2, line 28.

**Strike:** "The"

**Insert:** "Except as provided in subsection (3)(b), the"

6. Page 2, lines 28 and 29.

**Strike:** "facilities" on line 28 through "act" on line 29

**Insert:** "any facility that is used"

7. Page 2, line 29.

**Following:** "storage,"

**Strike:** "pesticide"

**Following:** "mixing"

**Insert:** ", "

**Strike:** "sites,"

**Following:** "and"

**Insert:** "for any"

8. Page 2, line 30.

**Strike:** "facilities" through "entity"

**Insert:** "facility"

9. Page 3, line 1.

**Following:** "(3)(a)"

**Insert:** "apply only to a facility:

(i) owned or operated by a government entity and located in a first-class county in which there is a city with a population of 50,000 or more; and

(ii) built after [the effective date of this act] or improved after [the effective date of this act] if the improvement increases the appraised value of the facility by 50% or more.

(c) The rules"

**Following:** "limited to"

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**Insert:** ": (i)"

10. Page 3, line 2.

**Strike:** "facilities"

**Insert:** "facility"

11. Page 3, lines 2 and 3.

**Following:** "water" on line 2

**Strike:** ". The" through "feet" on line 3

**Insert:** "; (ii) the population density around the facility; and  
(iii) the maximum quantity of pesticide held at the facility at any one time"

And, as amended, do pass. Report adopted.

**HJR 33**, be adopted. Report adopted.

**NATURAL RESOURCES** (Younkin, Chairman):

2/19/2001

**HB 135**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "THE PUBLIC SALE"

**Insert:** "AN INVENTORY"

2. Title, line 5 and line 6.

**Strike:** "PROVIDING" on line 5 through "LAWS;" on line 6

**Strike:** "IMMEDIATE" on line 6

3. Page 1, line 10.

**Following:** "through"

**Strike:** "9"

**Insert:** "4"

4. Page 1, line 11.

**Following:** "Estate"

**Insert:** "Inventory"

5. Page 1, line 14.

**Following:** "through"

**Strike:** "9"

**Insert:** "4"

6. Page 1, line 16.

**Following:** "surplus"

**Strike:** "pursuant to [section 5]"

7. Page 1, line 17.

**Following:** "restrictions"

**Insert:** ", land given to the state in 1889 and 1893,"

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8. Page 1, line 21.

**Following:** "through"

**Strike:** "9"

**Insert:** "4"

9. Page 1, lines 23 and 24.

**Following:** "estate" on line 23

**Strike:** "sales made"

**Insert:** "inventory conducted"

**Following:** "through" on line 23

**Strike:** "9"

**Insert:** "4"

**Following:** "J" on line 23

**Strike:** remainder of line 23 through "biennium" on line 24

10. Page 1, line 26.

**Following:** "By"

**Insert:** "July 1, 2005, and by"

**Following:** "year"

**Insert:** "thereafter"

11. Page 2, line 5 through page 4, line 20.

**Strike:** sections 5 through 10 in their entirety

12. Page 4, line 22.

**Following:** "through"

**Strike:** "9"

**Insert:** "4"

13. Page 4, line 23.

**Following:** "through"

**Strike:** "9"

**Insert:** "4"

14. Page 4, line 25.

**Strike:** "on passage and approval"

**Insert:** "July 1, 2001"

And, as amended, do pass. Report adopted.

**HB 455**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Strike:** "A"

**Insert:** "Except as provided in subsection (9), a"

2. Page 1, line 16.

**Strike:** "Except as provided for in subsection (9), an"

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**Insert:** "An"

3. Page 2, line 14.

**Strike:** "water"

**Insert:** "appropriation right"

**Following:** "change"

**Strike:** "in appropriation right"

And, as amended, do pass. Report adopted.

**HB 457**, do pass. Report adopted.

**HB 473**, introduced bill, be amended as follows:

1. Page 4, line 17.

**Following:** "each"

**Insert:** "institutional"

**Following:** "trust"

**Insert:** "as described in The Enabling Act of congress (approved February 22, 1899, 25 Stat. 676), as amended, the Morrill Act of 1862 (7 U.S.C. 301 through 308), and the Morrill Act of 1890 (7 U.S.C. 321 through 328)"

And, as amended, do pass. Report adopted.

**HB 513**, do pass. Report adopted.

**TRANSPORTATION** (Somerville, Chairman):

2/19/2001

**HB 506**, introduced bill, be amended as follows:

1. Page 1, line 29.

**Strike:** "5 years"

**Insert:** "1 year"

And, as amended, do pass. Report adopted.

**HB 524**, introduced bill, be amended as follows:

1. Title, line 7.

**Following:** "VEHICLES;"

**Insert:** "PROVIDING AN APPROPRIATION;"

**Strike:** the first "AND"

**Following:** "MCA"

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

2. Page 2.

**Following:** line 18

**Insert:** "NEW SECTION. Section 4. Appropriation. There is appropriated to the department of environmental quality from the state special revenue fund \$128,000 in fiscal year 2002 and \$128,000 in fiscal year 2003 for the purpose of reimbursing the hired removal of abandoned vehicles as provided in [section 1]."

**Insert:** "NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2001."

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And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence: 2/17/2001

**SB 249**, introduced by Toole  
**SB 264**, introduced by Waterman  
**SB 310**, introduced by Waterman  
**SB 311**, introduced by Cocchiarella  
**SB 324**, introduced by Harrington  
**SB 346**, introduced by Cobb  
**SB 357**, introduced by Ryan  
**SB 373**, introduced by Halligan  
**SB 383**, introduced by Glaser  
**SB 427**, introduced by Johnson  
**SB 429**, introduced by Sprague

Senate joint resolutions passed and transmitted to the House for concurrence: 2/17/2001

**SJR 11**, introduced by Tester  
**SJR 17**, introduced by Keenan

**MESSAGES FROM THE GOVERNOR**

February 19, 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 22** sponsored by Representative Lindeen, **House Bill 93** sponsored by Representative Gillan, **House Bill 99** sponsored by Representative Devlin, and **House Bill 194** sponsored by Representative Bookout-Reinicke on February 19, 2001.

Sincerely,

JUDY MARTZ  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

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



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**HB 614**, introduced by McCann (by request of the House Joint Appropriations Subcommittee on Long Range Planning), referred to Appropriations.

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

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

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

**HB 116** - Representative Sliter moved consideration of **HB 116** be placed at the bottom of the second reading board. Motion carried.

**HB 66** - Representative Harris moved **HB 66** do pass. Motion carried as follows:

Ayes: Bitney, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Matthews, McCann, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Raser, Schmidt, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Wolery, Younkin.

Total 52

Noes: Adams, Andersen, Bales, Balyeat, Barrett, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Haines, Hedges, Himmelberger, Holden, Jackson, Jayne, Kasten, Laible, Laszloffy, Lehman, Lewis, Mangan, Masolo, McKenney, Mood, Olson, Pattison, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Witt, Mr. Speaker.

Total 48

Voted Absentee: Bitney, Bookout-Reinicke, Juneau, Ayes; Holden, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 143** - Representative Somerville moved **HB 143** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laible, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Newman, Noennig, Olson, A. Peterson, Price, Raser, Ripley, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tropila, Waddill, Waitschies, Wolery, Younkin, Mr. Speaker.

Total 71

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Noes: Adams, Balyeat, Barrett, Clancy, P. Clark, Davies, Eggers, Fuchs, Gallik, Golie, Harris, Hedges, Kasten, Keane, Laszloffy, Lehman, Lewis, McCann, Musgrove, Pattison, K. Peterson, Rice, Rome, Tramelli, Vick, Walters, Wanzenried, Whitaker, Witt.

Total 29

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 239** - Representative Thomas moved **HB 239** do pass. Motion carried as follows:

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

Total 100

Noes: None.

Total 0

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Mr. Speaker moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Schmidt moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 91

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Noes: Eggers, Sliter.  
Total 2

Excused: Bitney, Bookout-Reinicke, Holden, Juneau.  
Total 4

Absent or not voting: P. Clark, Curtiss, Schmidt.  
Total 3

**SPECIAL ORDERS OF THE DAY**

Sergeant-at-Arms Ahner escorted President Abraham Lincoln (Professor Harry Fritz of Missoula) into the House Chamber.

Mr. Speaker introduced President Lincoln who then addressed the members with a brief history of his life and times.

**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 Schmidt in the chair.

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

**HB 254** - Representative Davies moved **HB 254** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 80

Noes: Bixby, Eggers, Erickson, Gallik, Gallus, Galvin-Halcro, Hurdle, Jayne, Jent, Juneau, Kaufmann, Lee, Lindeen, Mangan, Rome, Tramelli, Tropila, Wanzenried.  
Total 18

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Ayes; Juneau, No.

Excused: None.  
Total 0

Absent or not voting: P. Clark, Gillan.  
Total 2

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**HB 282** - Representative Laszloffy moved **HB 282** do pass.

**HB 282** - Representative Golie moved **HB 282**, second reading copy, be amended as follows :

1. Title, line 7.

**Following:** "EFFECTIVE DATE AND"

**Strike:** "AN"

**Insert:** "A RETROACTIVE"

2. Page 3, line 19.

**Strike:** "Applicability"

**Insert:** "Retroactive applicability"

3. Page 3, line 20.

**Following:** "applies"

**Insert:** "retroactively, within the meaning of 1-2-109,"

4. Page 3, line 21.

**Strike:** "2002"

**Insert:** "2001"

Amendment **adopted** as follows:

Ayes: Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Eggers, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Mood, Musgrove, Newman, Olson, Pattison, Raser, Ripley, Schmidt, Schrupf, Shockley, Smith, Tramelli, Tropila, Waddill, Wanzenried, Wolery, Younkin.

Total 56

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Clancy, E. Clark, Devlin, Erickson, Esp, Fisher, Fuchs, Haines, Hedges, Himmelberger, Kasten, Kaufmann, Laible, Laszloffy, Lehman, Lewis, Masolo, McKenney, Noennig, A. Peterson, K. Peterson, Price, Rice, Rome, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Whitaker, Witt, Mr. Speaker.

Total 40

Excused: Bitney, Bookout-Reinicke, Holden, Juneau.

Total 4

Absent or not voting: None.

Total 0

Motion that **HB 282**, as amended, do pass carried as follows:

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

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Total 94

Noes: E. Clark, Erickson, Fritz, Kaufmann, Mangan, Noennig.  
Total 6

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 290** - Representative Waddill moved **HB 290** 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, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.  
Total 0

Absent or not voting: Lee.  
Total 1

**HB 304** - Representative Clancy moved **HB 304** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Galvin-Halcro, Haines, Hedges, Himmelberger, Holden, Jackson, Juneau, Kasten, Laible, Laszloffy, Lehman, Lewis, Masolo, McKenney, Mood, Olson, Pattison, A. Peterson, Price, Rice, Ripley, Schrumpf, Shockley, Sliter, Story, Thomas, Vick, Waddill, Waitschies, Walters, Wolery, Mr. Speaker.

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Total 51

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Noennig, K. Peterson, Raser, Rome, Schmidt, Smith, Somerville, Steinbeisser, Tramelli, Tropila, Wanzenried, Whitaker, Witt, Younkin.  
Total 49

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 340** - Representative Younkin moved **HB 340** do pass.

**HB 340** - Representative Younkin moved **HB 340**, second reading copy, be amended as follows :

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

**Strike:** "AUTHORIZING" on line 8 through "DENSITY;" on line 9

2. Title, page 1, line 10.

**Strike:** "SECTIONS"

**Insert:** "SECTION"

**Strike:** "AND 76-3-511"

3. Page 1, line 15.

**Strike:** "1"

4. Page 1, line 17.

**Strike:** "a"

**Insert:** "(1)"

**Renumber:** subsequent subsections

5. Page 1, line 30.

**Strike:** "i"

**Insert:** "(a)"

**Renumber:** subsequent subsections

6. Page 2, line 13.

**Strike:** "i"

**Insert:** "(9)"

**Strike:** "containing"

**Insert:** "with lot sizes averaging"

**Strike:** "20"

**Insert:** "5"

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7. Page 2, line 14.

**Strike:** "(i)"

**Insert:** "(a)"

**Strike:** "surface"

**Insert:** "appropriation"

**Following:** the first "rights"

**Insert:** "owned by the owner of the land to be subdivided"

8. Page 2, line 15.

**Strike:** "access"

**Insert:** "a legal right"

**Strike:** "or"

9. Page 2.

**Following:** line 15

**Insert:** "(b) if the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots, establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities of landowners within the subdivision who have a legal right and access to the water; or"

10. Page 2, line 16.

**Strike:** "(ii)"

**Insert:** "(c)"

11. Page 2, line 26.

**Strike:** "(i)"

**Insert:** "(a)"

**Renumber:** subsequent subsections

12. Page 3, line 10.

**Strike:** "."

**Insert:** ";

13. Page 3.

**Following:** line 10

**Insert:** "(12) require the subdivider to establish, file, and record utility easements in the subdivision that are in locations of appropriate topographic characteristics and sufficient width to allow the physical placement and unobstructed maintenance of utility facilities for the provisions of utility services within the subdivision. The filed and recorded utility easements must be in the same locations as those described in the preliminary plat."

14. Page 3, line 11 through page 4, line 18.

**Strike:** line 11 on page 3 through line 18 on page 4 in their entirety

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, 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,

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Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Hurdle, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. 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 91

Noes: Bixby, Forrester, Jayne, K. Peterson.

Total 4

Excused: Bitney, Bookout-Reinicke, Holden, Juneau.

Total 4

Absent or not voting: Mangan.

Total 1

Motion that **HB 340**, as amended, do pass carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. 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, 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, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 94

Noes: Bixby, Gallik, Jayne, K. Peterson, Story.

Total 5

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: R. Brown.

Total 1

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

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Branae, D. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Devlin, Esp, Fisher, Forrester, Fritz, Fuchs, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Himmelberger, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann,



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

Total 80

Noes: Bixby, Buzzas, Dell, Erickson, Facey, Gallik, Gallus, Keane, Newman, Sliter, Wanzenried.

Total 11

Excused: Bitney, Bookout-Reinicke, Holden, Juneau.

Total 4

Absent or not voting: R. Brown, Eggers, Hedges, Tramelli, Walters.

Total 5

**REPORTS OF STANDING COMMITTEES**

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Curtiss, Chairman): 2/19/2001  
**HB 107**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** "PURPOSES;"

**Strike:** "REQUIRING THAT"

**Insert:** "AUTHORIZING EXPENDITURE OF UP TO"

2. Title, line 7.

**Following:** "FEDERAL"

**Strike:** "SPORTING GOODS EXCISE TAX"

**Insert:** "AID IN SPORT FISH AND WILDLIFE RESTORATION PROGRAM"

**Following:** "REVENUE"

**Strike:** "THAT IS RETURNED"

**Insert:** "AVAILABLE"

3. Title, line 8.

**Strike:** "STATE BE SPENT BY THE"

4. Title, line 10.

**Strike:** "DETERMINE"

**Insert:** "RECOMMEND"

5. Title, line 12.

**Following:** "PROGRAMS"

**Strike:** "AND ENSURE ACCOUNTABILITY FOR THE PROJECTS"

6. Page 1, line 17.

**Strike:** "returned"

**Insert:** "apportioned"

7. Page 1, line 21 through line 22.

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**Following:** "reservations" on line 21

**Strike:** remainder of line 21 through "state" on line 22

8. Page 2, line 1 through line 2.

**Following:** "duties," on line 1

**Strike:** remainder of line 1 through "taxes," on line 2

9. Page 2, line 3.

**Following:** "87-1-601(1)(b)"

**Insert:** "up to"

**Following:** "federal"

**Strike:** "sporting goods excise tax revenue returned"

**Insert:** "aid in sport fish restoration and federal aid in wildlife restoration program funds apportioned"

10. Page 2, line 6.

**Following:** "expended"

**Insert:** "for public benefits"

11. Page 2, line 7.

**Following:** "federal"

**Strike:** "regulations"

**Insert:** "requirements"

**Following:** "through"

**Strike:** "5"

**Insert:** "4"

12. Page 2, line 20.

**Following:** "(a)"

**Strike:** "accepting state-funded"

**Insert:** "identifying needs for"

13. Page 2, line 21.

**Following:** ";

**Insert:** "and"

14. Page 2, line 22.

**Following:** "the"

**Strike:** "distribution"

**Insert:** "priority"

15. Page 2, line 23 through line 24.

**Following:** "[section 3]" on line 23

**Strike:** remainder of line 23 through "5]" on line 24

16. Page 2, line 27.

**Following:** "distribution."

**Insert:** "(1)"

**Following:** "projects for"

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**Strike:** "state"

17. Page 2, line 28.

**Following:** "and"

**Strike:** "decide what proportion of projects are distributed"

**Insert:** "establish priorities for distribution of funds"

18. Page 2, line 30.

**Strike:** "(1)"

**Insert:** "(a)"

19. Page 3, line 2.

**Strike:** "(2)"

**Insert:** "(b)"

20. Page 3, line 4.

**Strike:** "(3)"

**Insert:** "(c)"

21. Page 3, line 6.

**Insert:** "(2) The tribal natural resources council may employ a wildlife biologist to act as an adviser and compliance inspector on all tribal wildlife and fish management programs that are funded pursuant to [sections 1 through 4].

(3) [Sections 1 through 4] imply no waiver of tribal sovereignty."

22. Page 3, lines 7 through line 21.

**Strike:** section 4 in its entirety

**Renumber:** subsequent sections

23. Page 3, line 23.

**Following:** "process."

**Strike:** "(1)"

**Following:** "All"

**Strike:** "grant"

24. Page 3, line 24.

**Following:** "council"

**Insert:** "and the department"

25. Page 3, line 26.

**Following:** "council"

**Strike:** "may"

**Insert:** "or an individual tribe shall"

26. Page 3, line 27.

**Following:** "department"

**Strike:** "for funding purposes"

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27. Page 3, line 28.

**Following:** "council"

**Insert:** "or an individual tribe"

28. Page 4, lines 1 through 9.

**Following:** "grants" on line 1

**Strike:** remainder of line 1 through "program" on line 9

29. Page 4, line 12.

**Strike:** "5"

**Insert:** "4"

30. Page 4, line 23.

**Strike:** "5"

**Insert:** "4"

31. Page 4, line 25.

**Strike:** "5"

**Insert:** "4"

And, as amended, do pass. Report adopted.

**HB 567**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** ""INTEREXCHANGE CARRIER", "

**Insert:** "AND"

2. Title, lines 6 and 7.

**Strike:** ", AND "LOCAL EXCHANGE CARRIER""

3. Page 1, lines 17 and 18.

**Following:** second "carrier" on line 17

**Strike:** remainder of line 17 through "carrier," on line 18

4. Page 2, lines 4 and 5.

**Strike:** subsection (9) in its entirety

**Renumber:** subsequent subsections

5. Page 3, line 30.

**Following:** first "local exchange carrier"

**Insert:** ", either directly or indirectly through another carrier,"

6. Page 4, line 2.

**Following:** "(2)"

**Insert:** "Any competitive local exchange carrier may file with the commission tariffs for access services, containing maximum allowable rates, and may file price lists containing the actual rates charged for access services. The price lists may be amended upon notice, as directed by the commission."

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**Following:** "carrier's"

**Insert:** "access services tariff or"

7. Page 4, lines 5 through 10.

**Following:** "than" on line 5

**Strike:** remainder of line 5 through "20,000" on line 10

**Insert:** "the intrastate composite switched carrier access rate for the largest incumbent local exchange carrier operating in Montana"

8. Page 4, line 26.

**Strike:** "shall"

**Insert:** "may"

And, as amended, do pass. Report adopted.

**HB 579**, do pass. Report adopted.

**HB 605**, do pass. Report adopted.

**HJR 19**, introduced joint resolution, be amended as follows:

1. Title, line 7.

**Strike:** "FORMER-PRESIDENT WILLIAM CLINTON'S"

**Insert:** "THE FEDERAL"

2. Page 1, line 11.

**Following:** "WHEREAS,"

**Strike:** "former-President William Clinton has proposed"

3. Page 1, line 12.

**Following:** the second "areas"

**Insert:** "have been proposed"

4. Page 1, lines 17 and 18.

**Following:** "Congress" on line 17

**Strike:** remainder of line 17 through "office" on line 18

5. Page 1, lines 26 and 27.

**Following:** "lands" on line 26

**Strike:** remainder of line 26 through "initiative" on line 27

And, as amended, be adopted. Report adopted.

**HJR 20**, introduced joint resolution, be amended as follows:

1. Page 1, lines 18 and 19.

**Strike:** lines 18 and 19 in their entirety

And, as amended, be adopted. Report adopted.

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**HJR 22**, be adopted. Report adopted.

**HUMAN SERVICES** (Thomas, Chairman): 2/19/2001  
**HB 583**, do pass. Report adopted.

**STATE ADMINISTRATION** (Walters, Chairman): 2/19/2001  
**HB 63**, introduced bill, be amended as follows:

1. Title, page 1, line 10.

**Strike:** "AND"

**Following:** "19-3-2121,"

**Insert:** "19-3-2123, 19-3-2124, AND 19-3-2126,"

2. Page 1, line 15.

**Strike:** "Disability benefits --"

**Insert:** "Long-term disability plan -- benefit"

**Following:** "eligibility --"

**Insert:** "administration and"

3. Page 1, line 18.

**Following:** "service"

**Insert:** "credit"

4. Page 1.

**Following:** line 27

**Insert:** "(5) If a member receiving a disability benefit under this section dies, the disability benefit payments cease and the member's beneficiary is entitled to death benefits only as provided for in 19-3-2125.

(6) The board shall establish a long-term disability plan trust fund from which disability benefit costs pursuant to this section must be paid. The trust fund must be entirely separate and distinct from the defined benefit plan trust fund."

**Renumber:** subsequent subsection

5. Page 1, line 28.

**Following:** "shall"

**Insert:** "perform the duties, exercise the powers, and"

6. Page 1.

**Following:** line 28

**Insert:** "NEW SECTION. **Section 2. Disability benefit recipients to remain members -- access to account prohibited.** A plan member who is receiving a disability benefit pursuant to [section 1] remains a member of the retirement plan irrespective of employment status and may not receive a distribution from the member's retirement account."

**Renumber:** subsequent sections

7. Page 6, line 9.

**Following:** "plan"

**Insert:** ", including a disability payment under [section 1],"

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8. Page 8, line 4.

**Strike:** " "

**Insert:** "and"

9. Page 8, line 5 through line 6.

**Following:** the second "plan"

**Strike:** remainder of line 5 through "]" on line 6

10. Page 10, line 23.

**Following:** "member"

**Insert:** "of the defined benefit plan"

11. Page 11, line 5.

**Strike:** "4.06% "

**Insert:** "4.19% "

12. Page 11, line 6.

**Strike:** "2.80% "

**Insert:** "2.37% "

13. Page 11, line 7.

**Following:** "rate"

**Strike:** remainder of line 7 through "]"

14. Page 11.

**Following:** line 7

**Insert:** "(3) Subject to adjustment by the board pursuant to 19-3-2121(7) and beginning on the plan's effective date, of the employer contributions under 19-3-316, 0.3% of compensation must be allocated to the long-term disability plan trust fund established pursuant to [section 1]."

**Renumber:** subsequent subsections

15. Page 11, line 25.

**Following:** "and"

**Insert:** "and"

16. Page 11, line 27.

**Strike:** "plan's"

**Insert:** "plan member's appropriate"

**Strike:** "; and"

**Insert:** "."

17. Page 11, line 28 through line 29.

**Strike:** line 28 through line 29 in their entirety

18. Page 13.

**Following:** line 4

**Insert:** "(7) If the board determines that the contribution rate to the disability plan under 19-3-2117(3) should be increased, the employer contribution to each member's account under 19-3-2117(2)(a) must be decreased

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by that amount. If the board determines that the contribution rate to the disability plan under 19-3-2117(3) should be decreased, the employer contribution to each member's account under 19-3-2117(2)(a) must be increased by that amount."

**Renumber:** subsequent subsections

19. Page 13.

**Following:** line 11

**Insert:** "Section 7. Section 19-3-2123, MCA, is amended to read:

**"19-3-2123. (Effective on occurrence of contingency or July 1, 2002, whichever is earlier) Payout of account balances when terminating plan membership.** Any Except as provided in [section 2], any time after termination of covered employment, a member or the member's beneficiary may terminate plan membership by making a written application to the board and removing the member's account balance from the plan through any combination of the following payout options, each of which is subject to applicable regulations of the internal revenue service:

- (1) a direct rollover to an eligible retirement plan or to an individual retirement account or annuity pursuant to section 401(a)(31) of the Internal Revenue Code;
- (2) a regular rollover to an eligible retirement plan pursuant to section 402(c) of the Internal Revenue Code; or
- (3) a lump-sum distribution of the member's account balance."

**Insert:** "Section 8. Section 19-3-2124, MCA, is amended to read:

**"19-3-2124. (Effective on occurrence of contingency or July 1, 2002, whichever is earlier) Distribution options for plan members -- rulemaking -- minimum distribution requirements -- restrictions.**  
(1) Subject to 19-3-2116 ~~and~~, 19-3-2126, and [section 2], a member may, after termination of covered employment, leave the member's account balance in the plan, and the member is eligible for a distribution as provided in this section.  
(2) After termination of covered employment, upon written application to the board, a member may, if provided for by the board, select a distribution option offered pursuant to a contract negotiated by the board with a plan vendor or vendors.  
(3) A member who is less than 70 1/2 years of age who returns to covered employment may not continue to receive a distribution under this section while actively employed in a covered position.  
(4) The board shall adopt rules to administer this section and to provide that distributions comply with the minimum distribution requirements established in the Internal Revenue Code and applicable under 19-2-1007."

**Insert:** "Section 9. Section 19-3-2126, MCA, is amended to read:

**"19-3-2126. (Effective on occurrence of contingency or July 1, 2002, whichever is earlier) Minimum account balance required for membership after termination -- adjustment by rule.** (1) (a) ~~If~~ Except as provided in [section 2], if a member's account balance is less than \$5,000 at the time that the member terminates covered employment, the member shall terminate plan membership by removing the member's account balance from the plan in a manner provided pursuant to 19-3-2123.  
(b) If the member fails to remove the member's account balance, the board may close the account by paying to the member a lump-sum distribution of the member's entire account balance.  
(2) The board may by rule adjust the minimum account balance provided in this section as necessary to maintain reasonable administrative costs and to account for inflation."

**Insert:** "NEW SECTION. Section 10. Implementation. (1) To implement the provisions of [section 1], the board shall establish a self-insured long-term disability plan through which the disability benefits must be paid.

- (2) If the disability plan cannot be implemented as described in subsection (1), the board shall implement



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the provisions of [section 1] by contracting for long-term disability insurance that provides for the benefits described in [section 1]."

**Renumber:** subsequent sections

20. Page 13, line 19.

**Strike:** "[Section 1] is"

**Insert:** "[Sections 1, 2, and 10] are"

21. Page 13, line 21.

**Strike:** "[section 1]"

**Insert:** "[sections 1, 2, and 10]"

22. Page 13.

**Following:** line 25

**Insert:** "NEW SECTION. Section 14. Contingent voidness. If the defined contribution retirement plan enacted by Chapter 471, Laws of 1999, cannot be implemented because of an unfavorable internal revenue service determination or ruling, then [this act] is void."

**Renumber:** subsequent section

23. Page 13, line 29.

**Strike:** "(4)"

**Insert:** "(5)"

**Strike:** "5"

**Insert:** "9"

And, as amended, do pass. Report adopted.

**HB 528**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "PUBLIC HEALTH,"

**Strike:** ", OR WELFARE"

2. Page 2, line 3 through line 5.

**Strike:** "The" on line 3 through line 5 in their entirety

And, as amended, do pass. Report adopted.

**HJR 32**, be adopted. Report adopted.

### 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 332** passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, Brueggeman, Buzzas,

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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, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 97

Noes: None.  
Total 0

Voted Absentee: Bitney, Holden, Juneau, Ayes.

Excused: Bookout-Reinicke.  
Total 1

Absent or not voting: R. Brown, Mood.  
Total 2

**HB 334** passed as follows:

Ayes: Andersen, Bales, Barrett, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.  
Total 85

Noes: Adams, Balyeat, Bitney, D. Brown, Brueggeman, Dale, Davies, Fisher, Laible, Masolo, Mood, Rice, Story, Vick.  
Total 14

Voted Absentee: Bookout-Reinicke, Holden, Juneau, Ayes; Bitney, No.

Excused: None.  
Total 0

Absent or not voting: R. Brown.  
Total 1

**HB 548** 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,

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

Total 100

Noes: None.

Total 0

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 16** adopted as follows:

Ayes: Bitney, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, Davies, Dell, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mood, Musgrove, Newman, Noennig, Olson, Price, Raser, Rome, Schmidt, Shockley, Thomas, Tramelli, Tropila, Waddill, Walters, Whitaker.

Total 60

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Dale, Devlin, Esp, Himmelberger, Jackson, Jayne, Kasten, Laszloffy, Mangan, Masolo, Matthews, McCann, McKenney, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Schruppf, Sliter, Smith, Somerville, Steinbeisser, Story, Vick, Waitschies, Wanzenried, Witt, Wolery, Younkin, Mr. Speaker.

Total 40

Voted Absentee: Bitney, Holden, Juneau, Ayes; Bookout-Reinicke, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 17** adopted as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Davies, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden,

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Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.  
Total 83

Noes: Adams, Balyeat, R. Brown, E. Clark, Curtiss, Dale, Devlin, Jackson, Jayne, Kasten, Pattison, A. Peterson, Story, Vick, Waitschies, Walters, Witt.  
Total 17

Voted Absentee: Bitney, Bookout-Reinicke, Holden, Juneau, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Representative Sliter moved that the primary sponsor on **HB 612** be changed from Representative McGee to Representative R. Brown. There being no objections, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 8:00 a.m., Tuesday, February 20, 2001. Motion carried.

House adjourned at 2:48 p.m.

MARILYN MILLER  
Chief Clerk of the House

DAN MCGEE  
Speaker of the House