

**HOUSE JOURNAL
57TH LEGISLATURE
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 20, 2001

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Vick. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/20/2001

Correctly printed: **HB 107, HB 135, HB 406, HB 418, HB 423, HB 448, HB 455, HB 457, HB 465, HB 473, HB 479, HB 492, HB 495, HB 497, HB 506, HB 510, HB 513, HB 524, HB 539, HB 559, HB 563, HB 564, HB 567, HB 570, HB 571, HB 574, HB 579, HB 582, HB 583, HB 605, HJR 19, HJR 20, HJR 22, HJR 31, HJR 32, HJR 33.**

Correctly engrossed: **HB 66, HB 143, HB 239, HB 254, HB 282, HB 290, HB 304, HB 315, HB 340, HB 353, HB 401, HB 500.**

APPROPRIATIONS (Vick, Chairman): 2/19/2001

HB 214, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: the second "DISTRICT"

Insert: "TO BE ELECTED AT THE NOVEMBER 2002 GENERAL ELECTION"

2. Title, line 6.

Following: "PROVIDING"

Strike: "AN"

Insert: "A DELAYED"

Strike: "AND AN APPLICABILITY DATE"

3. Page 1, line 19.

Following: "effective"

Strike: "July 1, 2001"

Insert: "January 1, 2002"

4. Page 1, line 21.

Strike: "Transition -- applicability"

Insert: "Election of judges"

5. Page 1, line 22 and line 23.

Following: "be"

Strike: remainder of line 22 through "offices" on line 23

Insert: "elected"

6. Page 1, line 24.

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Following: "2002"

Strike: "for 6-year terms to begin"

Insert: "and shall take office"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/19/2001

SB 48, introduced by Sprague

SB 292, introduced by Sprague

SB 298, introduced by Glaser

SB 313, introduced by Thomas

SB 340, introduced by Berry

**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 Tropila in the chair.

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

HB 360 - Representative P. Clark moved **HB 360** do pass.

HB 360 - Representative P. Clark moved **HB 360**, second reading copy, be amended as follows :

1. Page 1, line 25.

Following: "45-5-502"

Insert: "(3)"

Following: "45-5-503"

Insert: "(3)(a)"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: Lee.

Total 1

Motion that **HB 360**, as amended, do pass carried as follows:

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

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 - Representative Lee moved **HB 371** do pass. Motion failed as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Matthews, Newman, A. Peterson, K. Peterson, Price, Raser, Schmidt, Tramelli, Tropila, Wanzenried, Whitaker.

Total 46

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Fuchs, Haines, Hedges, Himmelberger, Jackson, Kasten, Laible, Laszloffy, Lewis, Masolo, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Witt, Wolery, Younkin, Mr. Speaker.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 374 - Representative Eggers moved **HB 374** do pass. Motion carried as follows:

Ayes: Adams, Andersen, 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, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 97

Noes: Bales, K. Peterson, Walters.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 378 - Representative Lee moved **HB 378** do pass. Motion carried as follows:

Ayes: Balyeat, Bitney, Bixby, Branae, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lee, Lenhart, Lindeen, Mangan, Masolo, Matthews, Newman, Noennig, Olson, A. Peterson, K. Peterson, Raser, Rice, Schmidt, Shockley, Smith, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Wanzenried, Younkin.

Total 63

Noes: Adams, Andersen, Bales, Barrett, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Curtiss, Davies, Fisher, Golie, Himmelberger, Kasten, Laible, Lawson, Lehman, Lewis, McCann, McKenney, Mood, Musgrove, Pattison, Price, Ripley, Rome, Schrupf, Sliter, Somerville, Steinbeisser, Vick, Walters, Whitaker, Witt, Wolery, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 345 - Representative Mangan moved consideration of **HB 345** be placed below **HB 376** on the second reading board. Motion carried.

HB 409 - Representative A. Peterson moved **HB 409** do pass. Motion carried as follows:

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Ayes: Andersen, Bales, Barrett, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Dale, Devlin, Erickson, Esp, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, Mood, Musgrove, Newman, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Rome, Schmidt, Schrupf, Somerville, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Witt, Wolery, Younkin.

Total 62

Noes: Adams, Balyeat, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, Curtiss, Davies, Dell, Eggers, Fisher, Forrester, Fuchs, Himmelberger, Jackson, Kasten, Laible, Laszloffy, Lehman, Lewis, Masolo, McCann, McKenney, Noennig, Pattison, Ripley, Shockley, Sliter, Smith, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: Kaufmann.

Total 1

HB 439 - Representative Jacobson moved **HB 439** do pass. Motion carried as follows:

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

Total 93

Noes: Adams, Balyeat, Brueggeman, McCann, Sliter, Smith, Mr. Speaker.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 456 - Representative Gutsche moved **HB 456** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville,

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Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Waitschies, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 89

Noes: Adams, Balyeat, Brueggeman, Davies, Laible, Mood, Pattison, Vick, Walters.
Total 9

Excused: None.
Total 0

Absent or not voting: Kasten, Story.
Total 2

HB 461 - Representative Shockley moved **HB 461** 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, 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, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 97

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Forrester, Story, Mr. Speaker.
Total 3

HB 488 - Representative Wolery moved **HB 488** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 98

Noes: Adams.
Total 1

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Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

HB 498 - Representative Branae moved **HB 498** 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, 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, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 97

Noes: Curtiss.
Total 1

Excused: None.
Total 0

Absent or not voting: Somerville, Walters.
Total 2

HB 499 - Representative Facey moved **HB 499** do pass.

HB 499 - Representative Facey moved **HB 499**, second reading copy, be amended as follows :

1. Page 1, line 15.

Following: "75-2-220"

Insert: "and includes a permitholder who shall pay only the annual fee"

2. Page 3, line 20 through page 3, line 28.

Strike: "**purpose** --" on line 20

Strike: "(1)" on line 20 through "material." on line 28

Renumber: subsequent subsections

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

Strike: "If" on page 4, line 2 through "rule, the" on page 4, line 4

Insert: "The"

4. Page 4, line 6 through page 4, line 9.

Strike: "All" on page 4, line 6 through "." on page 4, line 9

Amendment **adopted** as follows:

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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, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Waitschies.

Total 1

HB 499 - Representative Facey moved **HB 499**, second reading copy, be further amended as follows :

1. Title, line 7.

Following: "CREDIT;"

Insert: "PRECLUDING THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE BOARD OF ENVIRONMENTAL REVIEW FROM ADJUSTING CERTAIN FEES TO OFFSET THE COST OF THE CREDIT;"

2. Page 4, line 16.

Following: "chapter"

Insert: "."

Strike: ", including"

Insert: "The amount of the fee is subject to the limitation in subsection (12). The costs that may be considered in establishing the fee may include"

3. Page 5, line 3.

Following: "."

Insert: "The board may not consider the cost of the credits allowed under [section 3] whenever making an annual adjustment of fees allowed in this subsection."

4. Page 5, line 8.

Following: "fees"

Insert: ", subject to subsection (12),"

5. Page 6.

Following: line 25

Insert: "(12) (a) In determining the reasonable costs of developing and administering the permitting requirements under subsection (1), the department may not consider the cost of credits claimed under [section 2].

(b) In determining the amount of the additional fees authorized in subsection (4), the board may not

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consider the cost of credits claimed under [section 2]."

Amendment **adopted** as follows:

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

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 499**, as amended, do pass carried as follows:

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

Total 92

Noes: Balyeat, Devlin, Holden, Kasten, Masolo, Rice, Vick, Waitschies.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 517 - Representative Mangan moved **HB 517** do pass. Motion carried as follows:

Ayes: Adams, Andersen, 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,

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Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bales.
Total 1

HB 531 - Representative Waitschies moved **HB 531** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 537 - Representative Sliter moved **HB 537** do pass.

HB 537 - Representative Sliter moved **HB 537**, second reading copy, be amended as follows :

1. Page 2, line 27.
Following: "\$200,000;"
Insert: "or"

2. Page 2, line 28.
Strike: "; or"

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Insert: ". "

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

Strike: subsection (3) in its entirety

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, 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, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 97

Noes: McCann.

Total 1

Excused: None.

Total 0

Absent or not voting: R. Brown, Mr. Speaker.

Total 2

Motion that **HB 537**, as amended, do pass carried as follows:

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

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Golie.

Total 1

HB 542 - Representative Musgrove moved **HB 542** do pass. Motion carried as follows:

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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, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Sliter.
Total 1

HJR 10 - Representative Vick moved **HJR 10** be adopted.

HJR 10 - Representative Andersen moved **HJR 10**, second reading copy, be amended as follows :

1. Title, line 8.

Following: "PARK"

Insert: "; AND URGING CONGRESS TO PROVIDE ADEQUATE FUNDING TO THE NATIONAL PARK SERVICE TO PROVIDE ADEQUATE PERSONNEL TO ENSURE HEALTH AND SAFETY"

2. Page 2, line 17.

Following: "to"

Insert: ":

(a)"

3. Page 2, line 19.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsections

4. Page 2, line 24.

Following: "cities"

Insert: "; and

(b) provide adequate personnel to ensure the health and safety of snowmobile operators and the health and safety of park wildlife"

5. Page 2, line 29.

Following: "System"

Insert: ","

Following: "Park"

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Insert: "and be urged to provide adequate funding to achieve the purpose of subsection (1)(b)"

Amendment **adopted** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Callahan, Carney, E. Clark, P. Clark, Dale, Davies, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schruppf, Shockley, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Younkin.
Total 76

Noes: Adams, Bales, R. Brown, Brueggeman, Buzzas, Clancy, Curtiss, Cyr, Devlin, Fuchs, Himmelberger, Jackson, Kasten, Laszloffy, Mood, Pattison, Rice, Ripley, Sliter, Vick, Waitschies, Wolery, Mr. Speaker.
Total 23

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

Motion that **HJR 10**, as amended, be adopted carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, D. Brown, Brueggeman, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Golie, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 80

Noes: Branae, R. Brown, Buzzas, Callahan, Carney, Cyr, Eggers, Erickson, Facey, Fritz, Gillan, Gutsche, Harris, Hurdle, Jayne, Kaufmann, Lee, K. Peterson, Waddill.
Total 19

Excused: None.
Total 0

Absent or not voting: Raser.
Total 1

HJR 18 - Representative Lewis moved **HJR 18** be adopted. 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,

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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, 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

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

HJR 21 - Representative Laible moved **HJR 21** be adopted. Motion carried as follows:

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

Total 95

Noes: R. Brown, Buzzas, Erickson, Gutsche, Hurdle.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 24 - Representative Wanzenried moved **HJR 24** be adopted. Motion carried as follows:

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

Total 84

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Noes: R. Brown, E. Clark, Curtiss, Devlin, Fuchs, Haines, Jackson, Jayne, Masolo, McCann, Pattison, Rice, Ripley, Thomas, Walters, Witt.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 25 - Representative Haines moved **HJR 25** be adopted. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 116 - Representative Mood moved **HB 116** do pass.

HB 116 - Representative Lewis moved **HB 116**, second reading copy, be amended as follows :

1. Title, page 1, line 9.

Following: ";

Insert: "REDUCING THE SERVICE REQUIRED FOR VESTING;"

2. Page 26, line 19.

Strike: "5 years"

Insert: "1 year"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, 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,

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Total 92

Noes: Bales, Galvin-Halcro, Mangan, Schmidt.

Total 4

Excused: None.

Total 0

Absent or not voting: Matthews, McKenney, Newman, Olson.

Total 4

Motion that **HB 116**, as amended, do pass carried as follows:

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

Noes: Mangan.

Total 1

Excused: None.

Total 0

Absent or not voting: Forrester.

Total 1

HB 90 - Representative Shockley moved **HB 90** do pass.

HB 90 - Representative Shockley moved **HB 90**, second reading copy, be amended as follows :

1. Page 1, line 19.

Following: "IV"

Insert: "or is registered with the board as provided in subsection (4) of this section"

2. Page 1, line 21.

Following: "systems"

Insert: "or qualified, as provided in subsection (4), to design fire extinguishing systems"

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3. Page 1, line 23.

Following: "level"

Insert: "or continues to be qualified as provided in subsection (4)"

4. Page 1, line 25.

Following: "certification"

Insert: "or qualification under subsection (4)"

5. Page 1, following line 27.

Insert: "(4) The board shall list on the registry provided for in subsection (2)(a) any person not certified at level III or IV who:

(a) has engaged in designing fire extinguishing systems in this state for a period of 5 years prior to October 1, 2001;

(b) provides an affidavit to the board stating that there have not been any system failures during the 5-year period in any systems designed by the person; and

(c) applies for listing on the registry by October 1, 2002."

Amendment **adopted** as follows:

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

Total 99

Noes: Balyeat.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 90**, as amended, do pass carried as follows:

Ayes: Barrett, Bitney, Bixby, Branae, Buzzas, Callahan, Carney, Clancy, E. Clark, Erickson, Facey, Forrester, Gallik, Gallus, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Noennig, Olson, A. Peterson, Price, Raser, Ripley, Rome, Schmidt, Shockley, Smith, Somerville, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery.

Total 55

Noes: Adams, Andersen, Bales, Balyeat, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, P. Clark, Curtiss, Cyr,

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Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Fritz, Fuchs, Galvin-Halcro, Himmelberger, Hurdle, Jackson, Kasten, Keane, Laible, Laszloffy, Lehman, Lewis, Masolo, McKenney, Mood, Newman, Pattison, K. Peterson, Rice, Schruppf, Sliter, Steinbeisser, Story, Vick, Waitschies, Younkin, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Fritz, Fuchs, Gallik, Gallus, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, 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 91

Noes: Balyeat, Galvin-Halcro, Mangan, Newman.

Total 4

Excused: None.

Total 0

Absent or not voting: Forrester, Gillan, Golie, Hurdle, Price.

Total 5

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (McKenney, Chairman):

2/19/2001

HB 530, introduced bill, be amended as follows:

1. Title, line 7.

Following: "DEPARTMENT;"

Insert: "PROVIDING FOR A DELAY OF THE DEADLINE FOR COMPLETING A HEARING THAT IS EQUIVALENT TO THE TIME TAKEN TO REQUEST AND APPOINT AN ALTERNATIVE HEARINGS OFFICER;"

2. Page 2, line 19.

Following: "(2)"

Insert: "(a)"

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3. Page 2, line 21.

Strike: "10"

Insert: "15"

4. Page 2.

Following: line 22

Insert: "(b) The time allowed for completing a contested case hearing under this section may be extended by a period of time equal to the period of time taken to request a substitution of the hearings officer and to appoint an alternative hearings officer as provided for in subsection (2)(a).

(c) A party moving for a substitution of the hearings officer under subsection (2)(a) shall remit a filing fee of \$100 to the department with the motion for substitution."

And, as amended, do pass. Report adopted.

HB 587, introduced bill, be amended as follows:

1. Page 3, line 12.

Strike: "3"

Insert: "7"

2. Page 3, line 13.

Strike: "3"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 589, do pass. Report adopted.

HB 596, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "THE"

2. Title, line 6.

Following: line 5

Insert: "A PRIVATE"

Strike: "CONSIST" through "; AND"

Insert: "MEET CERTAIN ELIGIBILITY CRITERIA; PROVIDING THAT BEER AND WINE SALES ON THE PREMISES OF A PRIVATE GOLF COURSE MAY TAKE PLACE ONLY WHEN THE GOLF COURSE IS OPEN FOR BUSINESS; PROVIDING THAT SALES MUST STOP AT DARKNESS; PROHIBITING GAMBLING ON THE PREMISES;"

3. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 1, line 15.

Strike: "that consists of at least nine holes and not less than 700 lineal yards"

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Insert: ". If the owner of the golf course is not the state, a unit of the university system, or a local government, to qualify for a license under this section:
(a) the golf course must consist of at least 18 holes and 6,000 lineal yards;
(b) the golf course must be either within the limits of an incorporated city or town or within 1 mile of the limits of an incorporated city or town; and
(c) the applicant for a license under this section may not have held a beer and wine or all-beverages license within 12 months of the date of application"

5. Page 1, line 19 through line 20.

Strike: "The" on line 19 through "department." on line 20

6. Page 1, line 21.

Following: "(3)"

Insert: "(a)"

7. Page 1.

Following: line 23

Insert: "(b) If the owner of the golf course is not the state, a unit of the university system, or a local government:

(i) retail beer and wine sales may be made only during the time of the year that the golf course is open for business, and sales on days during that time must stop by 1 hour after sunset;

(ii) the seating capacity of the premises where the beer and wine are sold may not exceed 75 persons; and

(iii) gaming or gambling is not authorized under the license issued under this section."

8. Page 1.

Following: line 27

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

EDUCATION (Masolo, Chairman):

2/19/2001

HB 416, do pass. Report adopted.

HB 558, do pass. Report adopted.

STATE ADMINISTRATION (Walters, Chairman):

2/19/2001

HB 491, do pass. Report adopted.

TRANSPORTATION (Somerville, Chairman):

2/16/2001

HB 319, introduced bill, be amended as follows:

1. Page 1, line 20 through line 23.

Strike: "If" on line 20 through the first "vehicle" on line 23

Insert: "Taxes or fees in lieu of tax that are due or past due on a vehicle at the time that a person sells or trades the vehicle to a dealer"

2. Page 1, line 25.

Strike: "fees or taxes"

Insert: "taxes or fees"

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And, as amended, do pass. Report adopted.

HB 529, do pass. Report adopted.

HJR 23, be adopted. Report adopted.

HJR 30, be adopted. Report adopted.

Majority Leader Sliter moved that the House recess until 11:30 a.m. Motion carried.

House recessed at 10:58 a.m.

House reconvened at 11:30. All members present. Quorum present.

**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 Tropila in the chair.

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

HB 131 - Representative Somerville moved **HB 131** do pass.

HB 131 - Representative Somerville moved **HB 131**, second reading copy, be amended as follows :

1. Title, line 7.

Following: "TANKS;"

Insert: "REQUIRING THE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE REVENUE AND TAXATION INTERIM COMMITTEE;"

2. Page 3.

Following: line 3

Insert: "(7) The department of transportation shall report to the revenue and taxation interim committee at least once each year on its enforcement, pursuant to the authority provided in subsection (6)(c), of the provisions of Title 15, chapter 70, part 3, and on any impacts that enforcement has had on the state special revenue fund."

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, 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, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 95

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Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Eggers, Gallik, Gillan, Schmidt, Smith.
Total 5

Motion that **HB 131**, as amended, do pass carried as follows:

Ayes: Adams, Andersen, Bitney, Bixby, Bookout-Reinicke, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dale, Davies, Eggers, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Holden, Jackson, Jent, Juneau, Keane, Lawson, Lewis, Lindeen, Mangan, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Price, Raser, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.
Total 62

Noes: Bales, Balyeat, Barrett, Branae, R. Brown, E. Clark, Curtiss, Dell, Devlin, Esp, Forrester, Fritz, Fuchs, Gallik, Gutsche, Himmelberger, Hurdle, Jacobson, Jayne, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lee, Lehman, Lenhart, Masolo, McCann, Olson, Pattison, Rice, Ripley, Schmidt, Smith, Story, Vick, Witt.
Total 38

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Sliter moved consideration of **HB 554**, **HB 485**, and **HB 376** be passed for the day. Motion carried.

Representative Sliter moved consideration of **HB 397** be passed for the day.

Representative Golie made a substitute motion that **HB 397** be segregated from the Committee of the Whole report.

Motion that **HB 397** be passed for the day carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Dell, Devlin, Eggers, Esp, Fisher, Forrester, Fuchs, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Kasten, Laible, Lawson, Lee, Lehman, Lewis, Masolo, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 63

Noes: Bixby, Branae, Callahan, Carney, P. Clark, Cyr, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Mangan, Matthews, McCann,

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Musgrove, Newman, Raser, Ripley, Schmidt, Smith, Tropila, Wanzenried.
Total 34

Excused: None.
Total 0

Absent or not voting: Buzzas, Davies, Laszloffy.
Total 3

HB 139 - Representative Gallik moved **HB 139** do pass.

HB 139 - Representative Gallik moved **HB 139**, second reading copy, be amended as follows :

1. Title, line 6 through line 7.

Following: "RULES" on line 6

Strike: "AND" on line 6 through "PROCESS" on line 7

2. Page 1, line 29.

Following: "~~and~~"

Insert: "and"

3. Page 2, line 1 through line 3.

Strike: "i;" on line 1 through "(2)(C)" on line 3

4. Page 2, line 12.

Strike: "CERTIFYING"

Insert: "confirming"

5. Page 2, line 15.

Strike: "SUBSECTIONS (2)(A) THROUGH (2)(C)"

Insert: "subsection (2)"

6. Page 2, line 16 through line 18.

Strike: subsection (6) in its entirety

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bixby, Bookout-Reinicke, Branae, D. Brown, R. 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, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 91

Noes: Bitney, Kasten, Lee, Lehman, K. Peterson, Rice, Mr. Speaker.

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Total 7

Excused: None.

Total 0

Absent or not voting: Davies, Pattison.

Total 2

Motion that **HB 139**, as amended, do pass carried as follows:

Ayes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Noennig, Olson, Price, Raser, Schmidt, Shockley, Smith, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried.

Total 50

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Himmelberger, Holden, Jackson, Kasten, Laszloffy, Lehman, Lewis, Masolo, McKenney, Mood, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Rome, Schrupf, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: Eggers, Forrester.

Total 2

HB 261 - Representative Jent moved **HB 261** 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, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

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HB 313 - Representative Masolo moved **HB 313** do pass.

HB 313 - Representative Newman moved **HB 313**, second reading copy, be amended as follows :

1. Page 11, line 15.

Strike: "and"

Insert: "or"

2. Page 11, line 17.

Following: "1]"

Insert: "."

3. Page 11, line 18.

Strike: "and"

Insert: "The offender must complete"

4. Page 11, line 18.

Strike: "and"

Insert: ". The counseling may include"

Amendment **adopted** as follows:

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

Total 99

Noes: P. Clark.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 313**, as amended, do pass carried as follows:

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

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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 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 333 - Representative Jent moved **HB 333** do pass.

HB 333 - Representative Sliter moved **HB 333**, second reading copy, be amended as follows :

1. Title, line 6.

Following: "COURT"

Insert: "IF THE COURT DETERMINES THAT THE AWARD OF COSTS AND ATTORNEY FEES IS APPROPRIATE"

2. Page 1, line 23.

Following: "shall"

Insert: ", if the workers' compensation court orders,"

Following: "established"

Insert: "and ordered"

3. Page 1, line 30.

Following: line 29

Insert: "(4) An insurer may not seek reimbursement or contribution from a health care provider for any costs or fees awarded pursuant to this section."

Renumber: subsequent subsection

4. Page 2, line 4.

Strike: "must"

Insert: "may"

5. Page 2, line 10.

Strike: "MUST"

Insert: "may"

6. Page 2, line 18.

Following: "shall"

Insert: ", if the workers' compensation court orders,"

Following: "established"

Insert: "and ordered"

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7. Page 2, line 27.

Following: line 26

Insert: "(5) An insurer may not seek reimbursement or contribution from a health care provider for any costs or fees awarded pursuant to this section."

Renumber: subsequent subsection

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Fuchs, Haines, Hedges, Himmelberger, Holden, Jayne, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, Mangan, Masolo, McCann, McKenney, Mood, Olson, Pattison, A. Peterson, Price, Rice, Ripley, Rome, Schrupf, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 56

Noes: Balyeat, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jackson, Jacobson, Jent, Juneau, Kaufmann, Laslovich, Lee, Lenhart, Lindeen, Matthews, Musgrove, Newman, Noennig, K. Peterson, Raser, Schmidt, Shockley, Smith, Tramelli, Waddill, Wanzenried.

Total 43

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

Motion that **HB 333**, as amended, do pass carried as follows:

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

Total 63

Noes: Adams, Bales, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Hedges, Himmelberger, Jackson, Kasten, Laible, Laszloffy, Lehman, Lewis, McCann, McKenney, Mood, Pattison, Rice, Ripley, Steinbeisser, Story, Vick, Waitschies, Whitaker, Witt, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 345 - Representative Mangan moved **HB 345** do pass.

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HB 345 - Representative Mangan moved **HB 345**, second reading copy, be amended as follows :

1. Page 2, line 5.

Strike: "Each"

Insert: "Subject to subsection (2), each"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, 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, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McKenney, Sliter.

Total 2

Motion that **HB 345**, as amended, do pass carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, 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, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 93

Noes: Adams, Balyeat, Lawson, Vick.

Total 4

Excused: None.

Total 0

Absent or not voting: Gillan, McKenney, Sliter.

Total 3

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HB 377 - Representative Somerville moved **HB 377** 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, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 97

Noes: Lewis, Shockley.

Total 2

Excused: None.

Total 0

Absent or not voting: Lee.

Total 1

HB 420 - Representative Sliter moved consideration of **HB 420** be passed for the day. Motion carried.

HB 403 - Representative Gillan moved **HB 403** do pass. Motion carried as follows:

Ayes: Andersen, Bitney, Bookout-Reinicke, Branae, D. Brown, Callahan, Carney, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Hurdle, Jackson, Jacobson, Jent, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lenhart, Lewis, Mangan, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schrupf, Sliter, Smith, Somerville, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Younkin.

Total 69

Noes: Adams, Bales, Balyeat, Barrett, Bixby, R. Brown, Brueggeman, Buzzas, Clancy, Davies, Devlin, Fuchs, Holden, Jayne, Juneau, Kasten, Laszloffy, Lehman, Lindeen, Masolo, McCann, Pattison, Rice, Ripley, Shockley, Steinbeisser, Story, Vick, Witt, Wolery, Mr. Speaker.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 419 - Representative Shockley moved **HB 419** do pass. Motion carried as follows:

Ayes: Andersen, Bixby, Bookout-Reinicke, Buzzas, Callahan, Carney, P. Clark, Dale, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurdle, Jacobson,

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Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Matthews, McKenney, Musgrove, Newman, Noennig, Olson, Price, Raser, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Wolery.

Total 59

Noes: Adams, Bales, Balyeat, Barrett, Branae, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Cyr, Davies, Dell, Devlin, Esp, Fisher, Fuchs, Himmelberger, Holden, Jackson, Kasten, Laszloffy, Lewis, Masolo, McCann, Mood, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Smith, Story, Vick, Waitschies, Younkin, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: Bitney, D. Brown, Schmidt, Witt.

Total 4

HB 440 - Representative Jacobson moved **HB 440** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, 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, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 94

Noes: Barrett, Masolo, Rice, Smith, Steinbeisser.

Total 5

Excused: None.

Total 0

Absent or not voting: Schmidt.

Total 1

HB 451 - Representative Golie moved **HB 451** 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

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Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 454 - Representative P. Clark moved **HB 454** do pass.

HB 454 - Representative P. Clark moved **HB 454**, second reading copy, be amended as follows :

1. Page 2, line 9.

Following: "PUBLIC"

Strike: "ON A FIRST-COME, FIRST-SERVE BASIS"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: Lee.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Motion that **HB 454**, as amended, do pass carried as follows:

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

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Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 457 - Representative Haines moved **HB 457** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Devlin, Eggers, Esp, Fisher, Forrester, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Jent, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Masolo, McCann, McKenney, Mood, Olson, Pattison, A. Peterson, Price, Raser, Rice, Ripley, Shockley, Sliter, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 63

Noes: Bixby, Branae, Buzzas, Callahan, Carney, Dell, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lee, Lenhart, Mangan, Matthews, Musgrove, Newman, Noennig, K. Peterson, Rome, Schmidt, Schruppf, Smith, Somerville, Tramelli.
Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 471 - Representative K. Peterson moved **HB 471** do pass. Motion failed as follows:

Ayes: Adams, Bales, Balyeat, Bitney, Branae, D. Brown, R. Brown, Callahan, Carney, Clancy, P. Clark, Curtiss, Erickson, Esp, Fritz, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jent, Kasten, Lehman, Matthews, McKenney, Noennig, A. Peterson, K. Peterson, Price, Ripley, Rome, Schmidt, Schruppf, Shockley, Steinbeisser, Story, Thomas, Tropila, Waddill, Waitschies, Wolery, Younkin, Mr. Speaker.
Total 46

Noes: Andersen, Barrett, Bixby, Bookout-Reinicke, Brueggeman, Buzzas, E. Clark, Cyr, Dale, Davies, Devlin, Eggers, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Himmelberger, Jayne, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lenhart, Lewis, Lindeen, Mangan, Masolo, McCann, Mood, Musgrove, Newman, Olson, Pattison, Raser, Rice, Sliter, Smith, Somerville, Tramelli, Vick, Walters, Wanzenried, Whitaker, Witt.
Total 53

Excused: None.

Total 0

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Absent or not voting: Dell.
Total 1

HB 472 - Representative Rome moved **HB 472** 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, 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, 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 94

Noes: Dale, Kasten, Pattison, K. Peterson, Story, Vick.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 496 - Representative Jent moved **HB 496** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 98

Noes: Lee.
Total 1

Excused: None.
Total 0

Absent or not voting: P. Clark.
Total 1

HB 502 - Representative Story moved **HB 502** do pass.

HB 502 - Representative Story moved **HB 502**, second reading copy, be amended as follows :

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1. Title, page 1, line 5.

Strike: "SECTION"

Insert: "SECTIONS 61-10-128 AND"

2. Page 1.

Following: line 7

Insert: "**Section 1.** Section 61-10-128, MCA, is amended to read:

"61-10-128. When authorities may restrict right to use roadway. (1) A local authority may not alter the limitations provided in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 or substitute other limitations or requirements, except as provided in this section.

(2) The department of transportation by order, or a local road authority by ordinance or resolution, may prohibit the operation of or impose restrictions on the weight and speed of a vehicle traveling on a public highway under its respective jurisdiction and for which it is responsible for maintenance whenever the highway will be seriously damaged or destroyed by deterioration, rain, snow, or other climatic conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and speed are reduced. The department of transportation or the authority that enacts the ordinance or resolution shall erect signs designating the department's order or the authority's ordinance or resolution at each end of that portion of the highway affected, and the order, ordinance, or resolution is not effective until the signs are erected. The department of transportation or the authority by ordinance or resolution may prohibit the operation of trucks or other commercial vehicles or impose limitations on their weight on designated highways, subject to the provisions of subsection (3). These prohibitions and limitations must be designated by appropriate signs placed on the highways.

(3) Neither the department of transportation nor a local authority may prohibit the operation of or impose a restriction on the weight of a vehicle loaded with perishable seed potatoes that is traveling on a public highway if:

- (a) the vehicle is being operated within its legal licensed gross vehicle weight;
- (b) the driver possesses a federal-state inspection certificate issued for the load; and
- (c) the vehicle takes the most direct route from the point of loading to the nearest nonrestricted road.

(4) Hay grinders and their towing units are exempt from weight limits imposed by the department of transportation under this section."

Renumber: subsequent section

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: Lee.

Total 1

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Motion that **HB 502**, as amended, do pass carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 96

Noes: Gillan, Keane, Wanzenried.
Total 3

Excused: None.
Total 0

Absent or not voting: McCann.
Total 1

HB 515 - Representative Lehman moved **HB 515** 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, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gutsche.
Total 1

HB 519 - Representative Forrester moved **HB 519** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan,

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Carney, E. Clark, P. Clark, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Hedges, Himmelberger, Holden, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Rice, Ripley, Rome, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 82

Noes: Adams, Buzzas, Clancy, Curtiss, Gallik, Gutsche, Harris, Hurdle, Jackson, Kasten, Mood, Pattison, K. Peterson, Schmidt, Thomas, Vick.

Total 16

Excused: None.

Total 0

Absent or not voting: R. Brown, Raser.

Total 2

HB 521 - Representative Newman moved **HB 521** 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, 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, 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 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Clancy, Davies.

Total 2

HB 523 - Representative Shockley moved **HB 523** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, Curtiss, Cyr, 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, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies,

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Walters, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.
Total 96

Noes: Dale, Story.
Total 2

Excused: None.
Total 0

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

HB 551 - Representative Forrester moved **HB 551** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, A. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 86

Noes: Adams, Balyeat, Esp, Fuchs, Jackson, Kasten, Masolo, Olson, Pattison, K. Peterson, Rice, Story, Vick, Waitschies.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 552 - Representative Shockley moved **HB 552** 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, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 99

Noes: None.
Total 0

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Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 559 - Representative Noennig moved **HB 559** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Gallus, Hedges, Himmelberger, Holden, Hurdle, Jackson, Kasten, Laible, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 73

Noes: Bixby, Buzzas, Carney, P. Clark, Eggers, Erickson, Facey, Fritz, Fuchs, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Musgrove, Raser, Tramelli, Wanzenried.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 560 - Representative Noennig moved **HB 560** 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, Jent, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, 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 97

Noes: Jayne, Juneau.
Total 2

Excused: None.
Total 0

Absent or not voting: Lewis.
Total 1

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HB 569 - Representative Esp moved **HB 569** 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, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 96

Noes: McCann, Mr. Speaker.

Total 2

Excused: None.

Total 0

Absent or not voting: Davies, Forrester.

Total 2

HB 599 - Representative Haines moved **HB 599** do pass. Motion carried as follows:

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

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 603 - Representative Shockley moved **HB 603** 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,

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Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 29 - Representative Carney moved **HJR 29** be adopted. 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, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 98

Noes: Vick.

Total 1

Excused: None.

Total 0

Absent or not voting: Dale.

Total 1

HJR 31 - Representative Schmidt moved **HJR 31** be adopted. Motion carried as follows:

Ayes: Andersen, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lewis, Lindeen, Mangan, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 75

Noes: Adams, Bales, Barrett, D. Brown, R. Brown, Buzzas, E. Clark, Davies, Esp, Fisher, Himmelberger, Kasten,

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Laible, Laszloffy, Lehman, Masolo, Pattison, Rice, Ripley, Story, Vick, Mr. Speaker.
Total 22

Excused: None.
Total 0

Absent or not voting: Balyeat, Dale, McCann.
Total 3

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

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 96

Noes: Fuchs.
Total 1

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Davies, Golie.
Total 3

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/20/2001
Correctly printed: **HB 63, HB 214, HB 319, HB 452, HB 528, HB 530, HB 547, HB 587, HB 596, HB 612.**
Correctly engrossed: **HB 90, HB 116, HB 131, HB 139, HB 313, HB 333, HB 345, HB 360, HB 403, HB 454, HB 499, HB 537, HJR 10.**
Signed by the Speaker at 11:45 a.m., February 20, 2001: **HB 235.**
Delivered to the Governor for her approval at 2:40 p.m., February 20, 2001: **HB 23, HB 37, HB 155, HB 220.**

NATURAL RESOURCES (Younkin, Chairman): 2/19/2001
HB 543, introduced bill, be amended as follows:

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

Following: "RESOLUTION"

Strike: remainder of line 7 through "76-1-606" on line 8

Insert: "UNLESS REQUIRED BY LOCAL SUBDIVISION REGULATIONS; ELIMINATING THE REQUIREMENT

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FOR FILING CERTIFIED COPIES OF ORDINANCES RELATED TO CONFORMANCE WITH A GROWTH POLICY; AMENDING SECTIONS 76-1-606 AND 76-3-604"

2. Page 1.

Following: line 25

Insert: "**Section 1.** Section 76-1-606, MCA, is amended to read:

"76-1-606. Effect of growth policy on subdivisions and plats. (1) When a growth policy has been approved, the city council may by ordinance or the board of county commissioners may by resolution require subdivision plats to conform to the provisions of the growth policy. ~~Certified copies of the ordinance must be filed with the city or town clerk and with the county clerk and recorder of the county~~ provided that the local subdivision regulations are amended to include substantial compliance with the specific goals and objectives of the growth policy as grounds for plat approval. The regulations must also demonstrate means by which the subdivider may show compliance with the growth policy.

(2) When the city council has adopted an ordinance pursuant to subsection (1), a plat involving lands within the corporate limits of the city and covered by the growth policy may not be filed without first presenting it to the planning board, which shall make a report to the city council advising as to compliance or noncompliance of the plat with the growth policy. The city council has the final authority to approve the filing of a plat within the city limits.

(3) When the board of county commissioners has adopted a resolution pursuant to subsection (1), a plat involving lands outside the corporate limits of the city and covered by a growth policy may not be filed without first presenting it to the planning board, which shall make a report to the board of county commissioners advising as to compliance or noncompliance of the plat with the growth policy. The board of county commissioners has the final authority to approve the filing of the plat.

(4) The planning board may delegate to its staff its responsibility to report to the city council or the board of county commissioners under subsection (2) or (3).

(5) This section may not be interpreted to limit the present powers of city or county governments.

(6) The requirements of this section must be met before any plat may be filed of record or entitled to be recorded.""

Renumber: subsequent section

3. Page 2, line 2.

Following: "based"

Insert: "solely"

Following: "policy"

Insert: "unless the local subdivision regulations include substantial compliance with the adopted growth policy as grounds for approval of the plat"

4. Page 2, line 11.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

HB 572, introduced bill, be amended as follows:

1. Page 2, line 8.

Following: line 7

Insert: "(6) The legislature further declares that the provisions of [sections 1 through 5] do not relieve coal bed methane developers or operators from:

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(a) any liability associated with the exploration or development of coal bed methane; or
(b) the responsibility to comply with any applicable provision of Titles 75, 82, and 85 and any other provision of law applicable to the protection of natural resources or the environment."

And, as amended, do pass. Report adopted.

HB 573, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

2. Page 2, line 13.

Following: "[sections 1 through 4]"

Insert: "and coal bed methane wells permitted under this part"

3. Page 2, line 17 and line 18.

Following: "managed"

Strike: "in" on line 17 through "(a)" on line 18

Insert: "for"

4. Page 2, line 19.

Strike: ";

Insert: "and if safe and prudent for the purpose.

(3) If the use of discharged ground water as provided in subsection (2) is not economically feasible, then ground water produced in association with the development of a coal bed methane well must be either:"

5. Page 2, line 20.

Strike: "(b) reinjection"

Insert: "(a) re injected"

6. Page 2, line 21.

Strike: "and"

7. Page 2, line 22.

Strike: "(c) discharge"

Insert: "(b) discharged"

Following: "75-5-401"

Insert: ";

(c) managed through other disposal methods as provided by law"

8. Page 3, line 2.

Strike: "on passage and approval"

Insert: "June 1, 2002"

And, as amended, do pass. Report adopted.

HB 586, introduced bill, be amended as follows:

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1. Title, line 7.

Following: ";"

Insert: "PROVIDING FOR THE PRORATION OF PROPERTY TAXES ON CENTRALLY ASSESSED PROPERTY;"

Following: "76-3-103,"

Insert: "76-3-207,"

2. Page 3, line 15.

Insert: "Section 2. Section 76-3-207, MCA, is amended to read:

"76-3-207. Subdivisions exempted from review but subject to survey requirements -- exceptions. (1)

Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions of land are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions of land not amounting to subdivisions:

(a) divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties;

(b) divisions made outside of platted subdivisions for the purpose of a single gift or sale in each county to each member of the landowner's immediate family;

(c) divisions made outside of platted subdivisions by gift, sale, or agreement to buy and sell in which the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes;

(d) for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots; and

(e) divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas.

(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county clerk and recorder, a division of lots that results in an increase in the number of lots or ~~which that~~ redesigns or rearranges six or more lots must be reviewed and approved by the governing body and an amended plat must be filed with the county clerk and recorder;

(b) a change in use of the land exempted under subsection (1)(c) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) (a) ~~Subject to subsection (3)(b),~~ a division of land may not be made under this section unless the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be divided have been paid.

(b) If a division of land includes centrally assessed property, in which the property taxes applicable to the division of land are not specifically identified in the tax assessment, the department of revenue shall prorate the taxes applicable to the land being divided on a reasonable basis."

Renumber: subsequent sections

3. Page 9, line 10.

Strike: "the" through "plat"

Insert: "the requirement to hold a hearing on the preliminary plat pursuant to 76-3-605"

4. Page 10, line 2.

Following: "subdivisions"

Insert: "and divisions of land involving centrally assessed property"

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And, as amended, do pass. Report adopted.

HJR 27, be adopted. Report adopted.

STATE ADMINISTRATION (Walters, Chairman):
HB 452, introduced bill, be amended as follows:

2/19/2001

1. Page 1, line 12.

Strike: "7"

Insert: "8"

2. Page 1, line 16.

Strike: "7"

Insert: "8"

3. Page 1, line 18.

Strike: "7"

Insert: "8"

4. Page 1, line 20.

Strike: "7"

Insert: "8"

5. Page 1, line 27.

Strike: "7"

Insert: "8"

6. Page 1, line 30.

Following: "19-9-801"

Insert: "(2)"

7. Page 2, line 5.

Following: "receive"

Insert: "membership service or"

8. Page 2, line 14.

Strike: "Employer contributions may not be used to fund the DROP."

9. Page 2, line 18 through line 20.

Strike: line 18 through line 20 in their entirety

Insert: "(3) On or before December 31 each year, a pro rata portion of the retirement system's investment portfolio earnings will be credited to each DROP account. If a DROP account is open for only a portion of the fiscal year during which earnings are measured, earnings proportional to the fraction of the year the account was open will be credited to the account or, if the account is closed on date of payment, earnings will be paid to the participant."

10. Page 2, line 23.

Strike: "designated beneficiary"

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Insert: "surviving spouse or dependent child"

Following: "participant's"

Insert: "DROP"

11. Page 2, line 25 through line 28.

Strike: line 25 through line 28 in their entirety

Insert: "(2) If there is no surviving spouse or dependent child, the designated beneficiary is entitled to receive the lump-sum distribution."

Insert: "NEW SECTION. Section 7. Employment and benefits after DROP participation. (1) Except as otherwise provided in this section, if a member continues employment in a covered position after terminating participation in the DROP, the board shall consider the member newly hired as of the date the member's DROP participation terminated.

(2) A member who, after terminating DROP participation, continues employment in a covered position:

(a) is immediately vested for benefits accrued subsequent to terminating DROP participation; and

(b) when eligible, is entitled to a service retirement benefit based on:

(i) the member's service and final average compensation during membership subsequent to terminating DROP participation; and

(ii) the benefit amount last deposited to the member's DROP account;

(c) shall continue to make contributions based on the rate the member paid when the member started participating in the DROP."

Renumber: subsequent sections

12. Page 3.

Following: line 8

Insert: "NEW SECTION. Section 9. Board to seek commissioner's ruling or opinion. The public employees' retirement board shall, as soon as possible, request in writing a ruling or opinion from the commissioner of internal revenue as to whether the deferred retirement option plan established pursuant to [sections 1 through 8] constitutes a qualified plan pursuant to section 401(a) of the Internal Revenue Code. The board shall notify the secretary of state and code commissioner when the commissioner of internal revenue has issued a favorable determination."

Renumber: subsequent sections

13. Page 3, line 10.

Strike: "7"

Insert: "8"

14. Page 3, line 12.

Strike: "7"

Insert: "8"

15. Page 3, line 15.

Strike: "January 1, 2002"

Insert: "contingent on the notification to the secretary of state that the commissioner of internal revenue has made a favorable determination pursuant [section 9]."

16. Page 3, line 16.

Strike: "8"

Insert: "10"

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And, as amended, do pass. Report adopted.

HB 547, introduced bill, be amended as follows:

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

Strike: "EXEMPTING" on line 6 through "PRACTICE" on line 7

Insert: "MAKING CERTAIN EXCEPTIONS"

2. Page 3, line 23.

Strike: "or"

3. Page 3, line 25.

Following: "treatment"

Insert: "; or

(3) acts involving the mother taking prescription or nonprescription medication or illicit drugs"

And, as amended, do pass. Report adopted.

HB 612, introduced bill, be amended as follows:

1. Page 4, line 2.

Strike: "90"

Insert: "76"

And, as amended, do pass. 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 66 passed as follows:

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

Total 57

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Devlin, Esp, Haines, Himmelberger, Jackson, Jayne, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, Masolo, McCann, McKenney, Pattison, Rice, Ripley, Rome, Schrupf, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Whitaker, Witt, Mr. Speaker.

Total 43

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 143 passed as follows:

Ayes: Andersen, Bales, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Gallus, Gillan, Gutsche, Haines, Harris, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Newman, Noennig, Olson, A. Peterson, Price, Raser, Schmidt, Schrumpf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Waddill, Waitschies, Wolery, Younkin, Mr. Speaker.
Total 71

Noes: Adams, Balyeat, Barrett, Davies, Eggers, Fritz, Fuchs, Gallik, Galvin-Halcro, Golie, Hedges, Kasten, Laszloffy, Lehman, Lewis, McCann, Musgrove, Pattison, K. Peterson, Rice, Ripley, Rome, Smith, Tramelli, Vick, Walters, Wanzenried, Whitaker, Witt.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 239 passed as follows:

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

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 254 passed as follows:

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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, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 84

Noes: Bixby, P. Clark, Eggers, Erickson, Gallik, Hurdle, Jayne, Juneau, Kaufmann, Lindeen, Mangan, Rome, Tramelli, Tropila, Wanzenried.

Total 15

Excused: None.

Total 0

Absent or not voting: Musgrove.

Total 1

HB 290 passed as follows:

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

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 304 failed as follows:

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

Total 48

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Noes: Andersen, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Fritz, Gallik, Gallus, Gillan, Golie, Gutsche, Hurdle, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Noennig, K. Peterson, Raser, Rice, Schmidt, Schruppf, Smith, Somerville, Story, Tramelli, Tropila, Wanzenried, Whitaker, Witt, Younkin.
Total 52

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 315 passed as follows:

Ayes: Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Dell, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lee, Lehman, Lenhart, Lindeen, Mangan, McCann, Musgrove, Newman, Noennig, A. Peterson, Price, Raser, Schmidt, Shockley, Smith, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Wolery, Younkin.
Total 56

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, Clancy, E. Clark, Dale, Davies, Devlin, Eggers, Erickson, Esp, Fisher, Himmelberger, Holden, Jackson, Kasten, Laszloffy, Lawson, Lewis, Masolo, Matthews, McKenney, Mood, Olson, Pattison, K. Peterson, Rice, Ripley, Rome, Schruppf, Sliter, Somerville, Steinbeisser, Story, Vick, Whitaker, Witt, Mr. Speaker.
Total 44

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 424 passed as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lindeen, Masolo, Matthews, McCann, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Thomas, Tramelli, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 84

Noes: Balyeat, Bitney, Erickson, Esp, Jackson, Kasten, Laible, Lewis, Mangan, McKenney, Pattison, Steinbeisser, Story, Vick, Waitschies.
Total 15

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Excused: None.
Total 0

Absent or not voting: Tropila.
Total 1

HB 434 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, Pattison, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Mood, A. Peterson.
Total 2

MOTIONS

Representative Sliter moved that **HB 456**, **HB 397**, **HB 485**, and **HB 376** be taken from the Committee of the Whole and rereferred to Appropriations. There being no objections, so ordered.

Representative Golie requested on **HB 457**, second reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Himmelberger requested on **HB 498**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Schmidt requested on **HB 304**, third reading today, that her vote be changed from yes to no. There being no objections, so ordered.

Representative Mangan requested on **HB 560**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Bales requested on **HB 531**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Jackson requested on **HB 374**, second reading today, that his vote be shown as yes. There being no

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objections, so ordered.

Representative Haines requested on **HB 403** second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Matthews requested on **HB 603**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Witt requested on **HB 519**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Lee moved that the House reconsider its action on **HB 371**. Motion failed as follows:

Ayes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Newman, Price, Raser, Schmidt, Tramelli, Tropila, Wanzenried.

Total 44

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Curtiss, Dale, Davies, Devlin, Fisher, Haines, Hedges, Jackson, Kasten, Laible, Laszloffy, Lehman, Lewis, Masolo, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 53

Excused: None.

Total 0

Absent or not voting: Clancy, Himmelberger, Laslovich.

Total 3

Representative Hurdle moved that **HB 484** be taken from the table in the Committee on Human Services and referred to the Committee of the Whole. Motion failed as follows:

Ayes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Raser, Schmidt, Tramelli, Tropila, Waddill, Wanzenried.

Total 42

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

Total 57

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Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

Representative Jent moved that **HB 514** be taken from the table in the Committee on Business and Labor and rereferred to the Committee of the Whole. Motion failed as follows:

Ayes: Bales, Barrett, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lee, Lenhart, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Noennig, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Smith, Somerville, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Wolery.
Total 56

Noes: Adams, Andersen, Balyeat, Bitney, D. Brown, R. Brown, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Fisher, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Lawson, Lehman, Lewis, Masolo, McKenney, Mood, Olson, Pattison, A. Peterson, Rice, Schruppf, Shockley, Sliter, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Witt, Younkin, Mr. Speaker.
Total 43

Excused: None.
Total 0

Absent or not voting: Jacobson.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 8:00 a.m., Wednesday, February 21, 2001. Motion carried.

House adjourned at 5:07 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House