

**HOUSE JOURNAL
57TH LEGISLATURE
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 29, 2001

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Mangan and Younkin, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/29/2001
Correctly printed: **HB 277, SB 57, SB 65, SB 138, SB 163, SB 240, SB 241, SB 242, SB 243, SB 248, SB 286, SB 289, SB 304, SB 315, SB 322, SB 326, SB 329, SB 333, SB 339, SB 340, SB 377, SB 389, SB 396, SB 397, SB 398, SB 405, SB 407, SB 420, SB 429, SB 431, SB 437, SB 454, SB 477, SB 480, SB 489, SJR 12, SJR 13.**
Correctly engrossed: **HB 69, HB 121, HB 221, HB 474, HB 600, HB 623, HB 632, HB 636, HB 639, HB 640, HB 644, HB 645, HB 646, HB 647, HB 650, SB 31, SB 89, SB 151, SB 152, SB 256, SB 300, SB 309, SB 310, SB 348, SB 380, SB 441, SJR 17.**
Correctly enrolled: **HB 190, HB 213, HB 219, HB 332, HB 408, HB 419, HB 444, HJR 24, HJR 25, HJR 29, HJR 33.**
Examined by the sponsor and found to be correct: **HB 190, HB 213, HB 219, HB 332, HB 408, HB 419, HB 444, HJR 24, HJR 25, HJR 29, HJR 33.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/28/2001

HB 213, introduced by Newman
HB 219, introduced by McKenney
HB 332, introduced by Dale
HB 419, introduced by Shockley
HB 444, introduced by Somerville

House joint resolutions concurred in and returned to the House: 3/28/2001

HJR 25, introduced by Haines
HJR 33, introduced by Gillan

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/28/2001

HB 42, introduced by Masolo
HB 151, introduced by Newman
HB 208, introduced by Harris
HB 261, introduced by Jent
HB 295, introduced by Jent
HB 319, introduced by Galvin-Halcro

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

HB 334, introduced by Lenhart
HB 359, introduced by P. Clark
HB 418, introduced by Younkin
HB 496, introduced by Jent
HB 521, introduced by Newman
HB 539, introduced by Mangan
HB 570, introduced by Shockley
HB 612, introduced by R. Brown

**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 R. Brown in the chair.

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

HB 58 - Representative Sliter moved consideration of **HB 58** be placed below **SB 31** on the second reading board. Motion carried.

SB 131 - Representative Sliter moved consideration of **SB 131** be placed at the bottom of the second reading board. Motion carried.

SB 323 - Representative Sliter moved consideration of **SB 323** be passed for the day. Motion carried.

SB 31 - Representative Dale moved **SB 31** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Forrester, Fritz, Fuchs, Gallus, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jayne, Jent, Juneau, Kasten, 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, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 90

Noes: Buzzas, Erickson, Facey, Gallik, Galvin-Halcro, Gutsche, Hurdle, Jacobson, Kaufmann, Wanzenried.
Total 10

Voted Absentee: Mangan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

HB 58 - Representative Erickson moved **HB 58** do pass.

Representative Younkin present at this time.

HB 58 - Representative Erickson moved **HB 58**, second reading copy, be amended as follows :

1. Title, page 1, line 6.

Strike: "56"

Insert: "36"

2. Title, page 1, line 7.

Strike: "50"

Insert: "25"

3. Title, page 1, line 10 through line 11.

Strike: "PROVIDING" on line 10 through "ELECTION;" on line 11

4. Page 1, line 21.

Strike: "56"

Insert: "36"

5. Page 2, line 24.

Strike: "3.6%"

Insert: "5.8% "

6. Page 2, line 27.

Strike: "91.3%"

Insert: "86.2% "

7. Page 2, line 30.

Strike: "5.1%"

Insert: "8% "

8. Page 3, line 12.

Strike: "50%"

Insert: "25% "

9. Page 3, line 20 through line 21.

Following: "FUND"

Strike: "." through "USED" on line 21

Insert: "["

10. Page 4, line 1.

Strike: "2002"

Insert: "2001"

11. Page 4, line 5.

Strike: "THIS ACT"

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Insert: "[this act]"

12. Page 4, line 8 through line 9.

Strike: "IF" on line 8 through "ACT" on line 9

Insert: "[This act]"

Strike: "2002" on line 9

Insert: "2001"

13. Page 4, line 11.

Strike: "2002"

Insert: "2001"

14. Page 4, line 16 through line 22.

Strike: section 9 in its entirety

Amendment **adopted** as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Holden, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Mood, Musgrove, Newman, Noennig, Price, Raser, Ripley, Schmidt, Schrupf, Smith, Thomas, Tramelli, Tropila, Waddill, Younkin.

Total 55

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Hedges, Himmelberger, Jackson, Jayne, Kasten, Laible, Laszloffy, Lewis, McKenney, Olson, Pattison, A. Peterson, K. Peterson, Rice, Rome, Shockley, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Mr. Speaker.

Total 43

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: R. Brown, Sliter.

Total 2

HB 58 - Representative Galvin-Halcro moved for cloture. Motion carried.

Motion that **HB 58**, as amended, do pass failed as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Musgrove, Newman, Noennig, Price, Raser, Ripley, Schmidt, Schrupf, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Younkin.

Total 49

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Gallus, Golie, Hedges, Himmelberger, Holden, Jackson, Jayne, Kasten, Laible, Laszloffy, Lee, Lewis, McKenney, Mood, Olson, Pattison, A. Peterson, K. Peterson, Rice, Rome, Shockley, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Mr. Speaker.
Total 51

Voted Absentee: Mangan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 256 - Representative Jent moved **SB 256** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, 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 98

Noes: Adams, D. Brown.
Total 2

Voted Absentee: Mangan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 300 - Representative Hedges moved **SB 300** be concurred in. 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, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, 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, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 95

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Noes: Erickson, Juneau, Lee, Smith.
Total 4

Voted Absentee: Mangan, Aye.

Excused: None.
Total 0

Absent or not voting: Lenhart.
Total 1

SB 380 - Representative Wanzenried moved **SB 380** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Mangan, Aye.

Excused: None.
Total 0

Absent or not voting: Vick.
Total 1

SB 348 - Representative P. Clark moved **SB 348** be concurred in.

SB 348 - Representative Gallik moved **SB 348**, second reading copy, be amended as follows :

1. Page 2, line 23.

Strike: "(2)"

Insert: "(3)"

2. Page 3.

Following: line 14

Insert: "(2) Nothing in this section prohibits a railroad corporation from causing the locomotive horn and bell to be sounded at a private crossing when it is necessary to protect the public safety."

Renumber: subsequent subsection

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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

Total 86

Noes: Davies, Devlin, Forrester, Fuchs, Hedges, Lawson, Matthews, Mood, Rome, Steinbeisser, Waitschies, Whitaker.

Total 12

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: Bales, Mr. Speaker.

Total 2

SB 348 - Representative P. Clark moved **SB 348**, as amended, be concurred in. Motion failed as follows:

Ayes: Bales, Balyeat, Barrett, Bitney, Buzzas, Carney, E. Clark, P. Clark, Cyr, Devlin, Erickson, Fritz, Fuchs, Gallus, Gillan, Hedges, Himmelberger, Holden, Jackson, Kasten, Keane, Laslovich, Laszloffy, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Price, Ripley, Rome, Schmidt, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Vick, Walters, Wanzenried, Younkin, Mr. Speaker.

Total 45

Noes: Adams, Andersen, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Clancy, Curtiss, Dale, Davies, Dell, Eggers, Esp, Facey, Fisher, Forrester, Gallik, Galvin-Halcro, Golie, Gutsche, Haines, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laible, Lehman, Lewis, Masolo, McCann, McKenney, Mood, Newman, Noennig, Pattison, A. Peterson, K. Peterson, Raser, Rice, Schruppf, Thomas, Tramelli, Tropila, Waddill, Waitschies, Whitaker, Witt, Wolery.

Total 54

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

SB 89 - Representative Laslovich excused at this time.

SB 89 - Representative Walters moved **SB 89** be concurred in. Motion carried as follows:

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Ayes: Adams, Andersen, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, 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, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin.
Total 87

Noes: Bales, Balyeat, D. Brown, Fisher, Laible, Lewis, McCann, K. Peterson, Vick, Witt, Mr. Speaker.
Total 11

Voted Absentee: Laslovich, Mangan, Ayes.

Excused: None.
Total 0

Absent or not voting: Galvin-Halcro, Gillan.
Total 2

SB 309 - Representative Himmelberger moved **SB 309** be concurred in.

Representative Laslovich present at this time.

SB 309 - Representative E. Clark moved **SB 309**, second reading copy, be amended as follows :

1. Title, line 6.
Strike: "36"
Insert: "24"

2. Page 6, line 12.
Strike: "36"
Insert: "24"

SB 309 - Representative Schrupf expressed a conflict of interest and abstained from voting.

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Carney, Clancy, E. Clark, P. Clark, Cyr, Dale, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Gutsche, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Masolo, Matthews, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Ripley, Schmidt, Smith, Somerville, Steinbeisser, Story, Waddill, Waitschies, Wanzenried, Witt, Wolery, Younkin.
Total 66

Noes: Balyeat, Bixby, D. Brown, Callahan, Curtiss, Davies, Dell, Erickson, Fritz, Galvin-Halcro, Gillan, Golie, Haines, Himmelberger, Juneau, Laible, Laszloffy, Lee, Lewis, Mangan, McCann, McKenney, Rice, Rome, Shockley, Sliter,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Thomas, Tramelli, Tropila, Vick, Walters, Whitaker, Mr. Speaker.
Total 33

Voted Absentee: Mangan, No.

Excused: None.
Total 0

Absent or not voting: Schruppf.
Total 1

SB 309 - Representative Esp moved **SB 309**, second reading copy, be further amended as follows :

1. Title, line 6.

Following: "MORE;"

Insert: "PROVIDING FOR A WAIVER BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES;"

2. Page 6, line 12.

Following: "means"

Insert: ", except as provided in [section 2],"

3. Page 7.

Following: line 6

Insert: "NEW SECTION. Section 2. Hourly limitation waivable by department or department's designee. The department or the department's designee may waive the 24-hour limitation related to recovery care beds, as defined in 50-5-101, as that limitation applies to a particular bed, if the attending physician of the individual occupying the bed determines that the waiver is medically appropriate. The waiver may be granted by the department before or after the 24-hour limitation is exceeded."

"NEW SECTION. Section 3. Codification instruction. [Section 2] is intended to be codified as an integral part of Title 50, chapter 5, part 2, and the provisions of Title 50, chapter 5, part 2, apply to [section 2]."

Renumber: subsequent sections

Amendment **adopted** as follows:

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

Total 87

Noes: Bales, Callahan, Fisher, Galvin-Halcro, Jackson, Lawson, Matthews, McCann, Rice, Ripley, Younkin, Mr. Speaker.

Total 12

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: Schrumpf.

Total 1

Motion that **SB 309**, as amended, be concurred in carried as follows:

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

Total 81

Noes: Adams, Balyeat, Callahan, Curtiss, Davies, Dell, Golie, Haines, Himmelberger, Laible, Laszloffy, Lewis, McCann, Shockley, Thomas, Vick, Whitaker, Mr. Speaker.

Total 18

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: Schrumpf.

Total 1

SB 310 - Representative Schmidt moved **SB 310** be concurred in. 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, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, 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 96

Noes: Adams, Dell, Jackson.

Total 3

Voted Absentee: Mangan, Aye.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Excused: None.
Total 0

Absent or not voting: Esp.
Total 1

SB 441 - Representative Lawson moved **SB 441** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Devlin, Eggers, Erickson, Esp, 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, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin.
Total 86

Noes: Adams, Brueggeman, Davies, Dell, Fuchs, Jackson, Kasten, Laszloffy, Mood, Pattison, Vick, Witt, Mr. Speaker.
Total 13

Excused: Mangan.
Total 1

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 R. Brown moved the Committee of the Whole report be adopted.

Representative P. Clark made a substitute motion that **SB 348** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Musgrove, Pattison, A. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Tramelli, Tropila, Vick, Waitschies, Walters, Wanzenried, Witt, Younkin, Mr. Speaker.
Total 81

Noes: Adams, Bookout-Reinicke, Callahan, Eggers, Esp, Facey, Gallik, Golie, Jackson, Newman, Noennig, Olson, K. Peterson, Thomas, Waddill, Whitaker, Wolery.
Total 17

Excused: Mangan.
Total 1

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Absent or not voting: Mood.
Total 1

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (McKenney, Chairman):
SB 242, be amended as follows:

3/29/2001

1. Title, line 6 through line 7.

Strike: "PROVIDING" on line 6 through "COUNTY;" on line 7

Following: "COUNTY;"

Insert: "ESTABLISHING PROCEDURES FOR ADOPTION OF A JURISDICTIONAL AREA FOR A COUNTY BUILDING CODE;"

2. Title, line 8.

Strike: "AN"

Insert: "A RETROACTIVE"

3. Page 1, line 30 through page 2, line 2.

Strike: the first "OR" on page 1, line 30 through "50-60-302" on page 2, line 2

Insert: "excluding any area that is within the limits of an incorporated municipality"

4. Page 4.

Following: line 8

Insert: "NEW SECTION. Section 3. Designation of county jurisdictional area for county building code. (1) To designate a county jurisdictional area for a county building code, the board of county commissioners:

(a) shall pass a resolution of intent to adopt the county jurisdictional area;

(b) shall give notice to the public as provided in 7-1-2121. The notice must state:

(i) the time and place of the public hearing;

(ii) the boundaries of the proposed county jurisdictional area;

(iii) the procedures and deadlines for filing a written protest; and

(iv) that a map and description of the boundaries of the proposed county jurisdictional area and the names and addresses of the owners of real property in the proposed county jurisdictional area are on file for public inspection at the office of the county clerk and recorder.

(c) shall give written notice to each owner of real property in the proposed county jurisdictional area by certified mail, delivery restricted to the addressee and the addressee's agent and return receipt requested. The notice must include the same information that is required under subsection (1)(b).

(d) shall hold a public hearing no earlier than 30 days or later than 90 days after passage of the resolution of intent;

(e) at the public hearing:

(i) shall accept written protests from owners of real property in the proposed county jurisdictional area; and

(ii) must receive general protests and comments relating to the designation of the boundaries of the proposed county jurisdictional area; and

(f) subject to subsection (2), shall adopt the county jurisdictional area, effective 60 days after passage of the resolution.

(2) If a written protest is submitted by owners of real property in the proposed county jurisdictional area representing more than 40% of the owners of real property for which a return receipt was received as provided in subsection (1)(c), the board of county commissioners may not adopt the county jurisdictional area for a county building

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

code."

Insert: "NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 50, chapter 60, part 3, and the provisions of Title 50, chapter 60, part 3, apply to [section 3]."

Renumber: subsequent section

5. Page 4, line 10 through line 12.

Strike: "Applicability" on line 10.

Insert: "Retroactive applicability"

Strike: "to" on line 10 through "issued" on line 12

Insert: "retroactively, within the meaning of 1-2-109, to the extension of the municipal jurisdictional area for building codes beyond the limits of the municipality as of [the effective date of this act]. After [the effective date of this act] a municipality may not enforce or adopt a building code outside of the limits of the incorporated municipality"

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

MOTIONS

Representative Sliter moved that **SB 131** be taken from the Committee of the Whole and rereferred to the Committee on Appropriations.

Representative Sliter moved that **SB 386** be taken from the Committee of the Whole and rereferred to the Committee on Appropriations.

Representative Sliter moved that **SB 394** be taken from the Committee of the Whole and rereferred to the Committee on Appropriations.

Representative Sliter moved that **SB 65** be taken from the Committee of the Whole and rereferred to the Committee on Appropriations.

Representative Gallus requested on **HB 58**, second reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House recess until 12:30 p.m. Motion carried.

House recessed at 11:42 a.m.

House reconvened at 12:30 p.m. All members present, except Representatives Mangan and Younkin, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

TAXATION (Story, Chairman):

3/29/2001

HB 277, introduced bill, be amended as follows:

1. Title, line 14.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Strike: "TRANSFERRING \$20 MILLION"

Insert: "DIVERTING UP TO \$5.5 MILLION OF THE FLOW OF TAXES"

2. Title, line 15.

Strike: "PERMANENT"

3. Title, line 16.

Following: " ;"

Insert: "RETAINING THE AMOUNT OF DEPOSIT INTO THE COAL SEVERANCE TAX TRUST FUND NECESSARY FOR COAL SEVERANCE TAX BONDS;"

4. Title, line 18.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

5. Page 13, line 22.

Strike: "**FUND** transfer"

Insert: "Coal severance tax diversion"

6. Page 13, line 26.

Strike: "There is transferred \$20 million for each fiscal year of the biennium from"

Insert: "Except for \$675,000 each year, up to \$5.5 million of the amount of coal severance taxes that would be deposited into"

7. Page 13, line 27.

Strike: "permanent"

Following: "trust"

Insert: "is diverted"

8. Page 14, line 6.

Strike: "TRANSFERS"

Insert: "diverts"

9. Page 14, line 12.

Insert: "NEW SECTION. Section 4. Termination. [This act] terminates June 30, 2003."

And, as amended, do pass. Report adopted.

**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 R. Brown in the chair.

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

SB 152 - Representative Dale moved **SB 152** be concurred in. Motion carried as follows:

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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

Total 96

Noes: Gallik, Waitschies.

Total 2

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: E. Clark, Mr. Speaker.

Total 2

SB 151 - Representative R. Brown moved **SB 151** be concurred in.

SB 151 - Representative Keane moved **SB 151**, second reading copy, be amended as follows :

1. Title, line 5.

Following: "CENTERS"

Insert: ", EXCEPT A FITNESS CENTER AT A UNIT OF THE UNIVERSITY SYSTEM WITH LESS THAN 3,500 STUDENTS,"

2. Page 1, line 25.

Following: "fitness"

Strike: ", "

Insert: "or"

Strike: ", or well-being"

3. Page 2.

Following: line 12

Insert: "(3) The provisions of this section do not apply to units of the university system with less than 3,500 full-time students."

Amendment **adopted** as follows:

Ayes: Adams, Bales, Balyeat, Barrett, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lehman, Lenhart, Lewis, Lindeen, McCann, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Sliter, Smith, Thomas, Tramelli, Tropila, Waddill,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Waitschies, Wanzenried, Wolery, Younkin, Mr. Speaker.
Total 71

Noes: Andersen, Bitney, D. Brown, Brueggeman, Esp, Fisher, Fuchs, Himmelberger, Jackson, Kasten, Laible, Laszloffy, Lawson, Masolo, Matthews, McKenney, Mood, Pattison, K. Peterson, Rice, Shockley, Somerville, Steinbeisser, Story, Vick, Walters, Whitaker, Witt.
Total 28

Excused: Mangan.
Total 1

Absent or not voting: None.
Total 0

Motion that **SB 151**, as amended, be concurred in carried as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Facey, Fisher, Forrester, Fuchs, Gallus, Gillan, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Keane, Laible, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Newman, Olson, Pattison, A. Peterson, Price, Raser, Rice, Ripley, Rome, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Walters, Whitaker, Witt, Wolery, Younkin.
Total 68

Noes: Balyeat, Bixby, Buzzas, Carney, Cyr, Eggers, Erickson, Fritz, Gallik, Galvin-Halcro, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lindeen, Mangan, Musgrove, Noennig, K. Peterson, Schmidt, Schrupf, Smith, Tramelli, Waitschies, Wanzenried, Mr. Speaker.
Total 32

Voted Absentee: Mangan, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 196 - Representative Waddill moved **SB 196** be concurred in.

SB 196 - Representative Waddill moved **SB 196**, second reading copy, be amended as follows :

1. Title, line 10 through line 11.

Strike: "AND A DELAYED EFFECTIVE DATE"

Insert: "PROVIDING PENALTIES; AND PROVIDING EFFECTIVE DATES"

2. Page 1, line 15.

Strike: "4"

Insert: "5"

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

3. Page 1, line 18.

Strike: "4"

Insert: "5"

4. Page 3.

Following: line 6

Insert: "NEW SECTION. Section 4. Civil and criminal penalties. (1) An entity that violates [section 3(2) or (3)] is subject to the following civil penalties:

(a) For a first violation, the entity shall be assessed a penalty of not more than \$100.

(b) For a second violation, the entity shall be assessed a penalty of not more than \$250.

(c) For a third violation, the entity shall be assessed a penalty of not more than \$500.

(d) For a fourth and subsequent violation, the entity shall be assessed a penalty of not more than \$1,000.

(2) A retail vendor who violates [section 3(4)] is guilty of a misdemeanor and upon conviction shall be fined an amount not more than \$500 or be imprisoned in the county jail for a term of not more than 6 months, or both."

Renumber: subsequent sections

5. Page 3, line 9.

Strike: "4"

Insert: "5"

6. Page 3, line 12.

Strike: "4"

Insert: "5"

7. Page 3, line 14.

Strike: "4"

Insert: "5"

8. Page 3, line 15.

Strike: "4"

Insert: "5"

9. Page 3, line 16.

Strike: "4"

Insert: "5"

10. Page 3, line 18 through line 19.

Strike: subsection (3) in its entirety

11. Page 3, line 21.

Strike: "4"

Insert: "5"

12. Page 3, line 23.

Strike: "4"

Insert: "5"

13. Page 3, line 30.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Strike: "**DATE**"

Insert: "dates"

14. Page 3, line 30.

Strike: "[THIS ACT]" through the remainder of line 30

Insert: "(1) Except as provided in subsection (2), [this act] is effective October 1, 2001.

(2) [Section 5] is effective on passage and approval."

Amendment **not** adopted as follows:

Ayes: Bixby, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Harris, Hurdle, Jacobson, Juneau, Kaufmann, Keane, Lee, Matthews, Newman, Noennig, Raser, Schmidt, Schrupf, Smith, Tramelli, Waddill, Whitaker.

Total 34

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Golie, Hedges, Himmelberger, Holden, Jackson, Jayne, Jent, Kasten, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, McCann, McKenney, Mood, Musgrove, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waitschies, Walters, Wanzenried, Witt, Wolery, Younkin, Mr. Speaker.

Total 64

Voted Absentee: Mangan, No.

Excused: None.

Total 0

Absent or not voting: Haines, Shockley.

Total 2

SB 196 - Representative Waitschies moved **SB 196**, second reading copy, be amended as follows :

1. Page 2, line 8.

Strike: ", including any package that contains any blending of foreign and domestic product,"

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Hedges, Himmelberger, Holden, Jackson, Jayne, Kasten, Laible, Laslovich, Laszloffy, Lee, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Wanzenried, Witt, Wolery.

Total 63

Noes: Bixby, Branae, Callahan, P. Clark, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Golie, Gutsche, Harris, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Lawson, Lindeen, Mangan, Newman, Raser,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Schmidt, Smith, Tramelli, Tropila, Waddill, Whitaker, Younkin, Mr. Speaker.
Total 34

Voted Absentee: Mangan, No.

Excused: None.
Total 0

Absent or not voting: Erickson, Gillan, Haines.
Total 3

Representative Mangan present at this time.

Motion that **SB 196**, as amended, be concurred in carried as follows:

Ayes: Andersen, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Eggers, Erickson, Facey, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Hurdle, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Raser, Rice, Schmidt, Schruppf, Shockley, Smith, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Witt, Younkin.
Total 63

Noes: Adams, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Clancy, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Fritz, Holden, Jackson, Jent, Laible, Laszloffy, McCann, McKenney, Mood, Price, Ripley, Rome, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Wolery, Mr. Speaker.
Total 37

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 197 - Representative P. Clark moved **SB 197** be concurred in. Motion carried as follows:

Ayes: Adams, Balyeat, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, E. Clark, P. Clark, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 86

Noes: Andersen, Bales, Barrett, Brueggeman, Carney, Clancy, Curtiss, Esp, Fisher, Laible, Laszloffy, Olson, Ripley.
Total 13

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Excused: None.
Total 0

Absent or not voting: Somerville.
Total 1

SB 141 - Representative Harris moved **SB 141** be concurred in. Motion failed as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Erickson, Facey, Gallik, Galvin-Halcro, Golie, Gutsche, Harris, Hurdle, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Matthews, Musgrove, Newman, Raser, Schmidt, Tramelli, Wanzenried.
Total 32

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Forrester, Fuchs, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Kasten, Laible, Laszloffy, Lehman, Lewis, Lindeen, Mangan, Masolo, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 66

Excused: None.
Total 0

Absent or not voting: Fritz, Gillan.
Total 2

SB 60 - Representative Masolo moved **SB 60** be concurred in. Motion carried as follows:

Ayes: Bales, Barrett, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Cyr, Dell, Eggers, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McKenney, Musgrove, Newman, Noennig, Olson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Thomas, Tramelli, Whitaker, Wolery, Younkin.
Total 59

Noes: Adams, Andersen, Balyeat, Bitney, D. Brown, R. Brown, Brueggeman, Curtiss, Dale, Davies, Devlin, Erickson, Esp, Facey, Haines, Hedges, Himmelberger, Kasten, Laible, Laszloffy, Lewis, McCann, Pattison, A. Peterson, Raser, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Witt, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: Mood.
Total 1

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

SB 104 - Representative Shockley moved **SB 104** be concurred in.

SB 104 - Representative Jent moved **SB 104**, second reading copy, be amended as follows :

1. Page 1, line 28.

Following: "person"

Insert: "purposely or knowingly"

2. Page 2, line 6.

Following: "person"

Insert: "purposely or knowingly"

3. Page 2, line 7.

Following: "(a)"

Strike: "purposely or knowingly"

4. Page 2, line 15.

Following: "bail."

Strike: "shall forfeit"

Insert: "may be subject to forfeiture of"

5. Page 2, line 17 through line 18.

Strike: "For" on line 17 through "forfeiture" on line 18

Insert: "If the court imposes forfeiture of the person's license and privilege to hunt, fish, or trap"

6. Page 2, line 18.

Following: "person of the"

Insert: "forfeiture and"

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, 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: Lindeen.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 1

Motion that **SB 104**, as amended, be concurred in carried as follows:

Ayes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurdle, Jacobson, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lenhart, Lindeen, Mangan, McCann, Newman, A. Peterson, Price, Raser, Rome, Schmidt, Schrumpf, Shockley, Smith, Thomas, Tramelli, Tropila, Vick, Waddill, Walters, Wanzenried, Whitaker, Wolery, Younkin.
Total 52

Noes: Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Fuchs, Galvin-Halcro, Himmelberger, Holden, Jackson, Jayne, Kasten, Laible, Lehman, Lewis, Masolo, Matthews, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, K. Peterson, Rice, Ripley, Sliter, Somerville, Steinbeisser, Story, Waitschies, Witt, Mr. Speaker.
Total 47

Excused: None.
Total 0

Absent or not voting: Adams.
Total 1

SB 108 - Representative Schmidt moved **SB 108** be concurred in. 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, 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, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 95

Noes: Adams, Davies, Somerville, Vick, Mr. Speaker.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 135 - Representative Facey moved **SB 135** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, 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,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Branae, Mr. Speaker.

Total 2

Representative Somerville assumed the chair.

SB 77 - Representative Shockley moved **SB 77** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, 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, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 88

Noes: Adams, Balyeat, Clancy, Davies, Jackson, Kasten, Laszloffy, Pattison, Rice, Ripley, Vick, Waitschies.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 82 - Representative R. Brown moved **SB 82** be concurred in. 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.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative R. Brown reassumed the chair.

SB 28 - Representative Jent moved **SB 28** be concurred in. 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

SB 116 - Representative Tropila moved consideration of **SB 116** be placed below **SB 132** on the second reading board. Motion carried.

SB 132 - Representative Harris moved **SB 132** be concurred in. 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, Wolery, Younkin, Mr. Speaker.

Total 99

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Witt.
Total 1

SB 116 - Representative Noennig moved **SB 116** be concurred in. Motion carried as follows:

Ayes: Andersen, 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, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 90

Noes: Adams, Bales, Balyeat, Curtiss, Laible, Laszloffy, Masolo, Pattison, Vick.
Total 9

Excused: None.
Total 0

Absent or not voting: Haines.
Total 1

SB 51 - Representative Dell moved **SB 51** be concurred in. 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, 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, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 92

Noes: Dale, Esp, Kasten, Laible, Laszloffy, Pattison, Story.
Total 7

Excused: None.
Total 0

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Absent or not voting: Mr. Speaker.
Total 1

SB 123 - Representative Noennig moved **SB 123** be concurred in. Motion failed as follows:

Ayes: Barrett, Bixby, Branae, Carney, P. Clark, Fritz, Fuchs, Gallik, Gallus, Harris, Himmelberger, Hurdle, Jacobson, Juneau, Lee, Lenhart, Newman, Noennig, K. Peterson, Raser, Rome, Smith, Thomas, Tropila, Waddill, Wolery, Younkin.
Total 27

Noes: Adams, Andersen, Bales, Balyeat, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Hedges, Holden, Jackson, Jayne, Jent, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Olson, Pattison, A. Peterson, Price, Rice, Ripley, Schmidt, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Tramelli, Vick, Waitschies, Walters, Wanzenried, Whitaker, Witt, Mr. Speaker.
Total 73

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 170 - Representative Gutsche moved **SB 170** be concurred in. 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, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 89

Noes: Adams, Balyeat, Davies, Fisher, Jackson, Kasten, Laible, Laszloffy, Pattison, Vick, Mr. Speaker.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 185 - Representative Hedges moved **SB 185** be concurred in. 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, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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

Total 96

Noes: Adams, Curtiss, McCann, Vick.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 204 - Representative Harris moved **SB 204** be concurred in. 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, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Waddill.

Total 1

SB 229 - Representative Mangan moved **SB 229** be concurred in. Motion carried as follows:

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

Total 76

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Noes: Balyeat, Barrett, Clancy, E. Clark, P. Clark, Curtiss, Davies, Devlin, Fisher, Fuchs, Kasten, Laible, Laszloffy, Lawson, Lehman, Masolo, Mood, Pattison, K. Peterson, Rice, Ripley, Vick, Witt, Wolery.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 283 - Representative Rice moved **SB 283** be concurred in.

SB 283 - Representative Rice moved **SB 283**, second reading copy, be amended as follows :

1. Page 9, line 17 through line 20.

Strike: "The first" on line 17 through "care" on line 20

Insert: "The time limit must comply with the Adoption and Safe Families Act of 1997, as enacted"

2. Page 15, line 13 through line 17.

Strike: "The" on line 13 through "review" on line 17

Insert: "The time limit must comply with the Adoption and Safe Families Act of 1997, as enacted"

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, 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 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Mangan, Sliter.
Total 2

Motion that **SB 283**, as amended, be concurred in 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,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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

Total 99

Noes: Mangan.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 293 - Representative Gallus moved **SB 293** be concurred in. 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, 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, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 93

Noes: Davies, Kasten, Laible, Steinbeisser, Vick, Mr. Speaker.

Total 6

Excused: None.

Total 0

Absent or not voting: Sliter.

Total 1

SB 245 - Representative Devlin moved **SB 245** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Forrester, Fuchs, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Jayne, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schruppf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 71

Noes: Bixby, Branae, Buzzas, Cyr, Dell, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Harris, Hurdle, Jacobson, Juneau, Kaufmann, Lee, Lewis, McCann, McKenney, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 432 - Representative McKenney moved **SB 432** be concurred in.

SB 432 - Representative McKenney moved **SB 432**, second reading copy, be amended as follows :

1. Title, line 5.

Following: "IMPROVEMENTS"
Insert: "AND EQUIPMENT"

2. Page 2, line 3.

Following: "7-15-4288"
Insert: "and equipment"

3. Page 2, line 14.

Following: "improvements"
Insert: "or acquire the equipment"

4. Page 2, line 16.

Following: "improvement"
Insert: "or the acquisition of equipment"

5. Page 2, line 17.

Following: "infrastructure"
Insert: "and equipment"

6. Page 2, line 19.

Following: "infrastructure"
Insert: "and the acquisition of equipment"

7. Page 2, line 21.

Following: "Infrastructure"
Insert: "and equipment"
Strike: "is"
Insert: "are"

8. Page 2, line 22.

Following: "state"
Insert: ", "

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

9. Page 2, line 24.

Following: "project"

Insert: "the use"

10. Page 2, line 25.

Following: "infrastructure"

Insert: "and equipment"

11. Page 3, line 10.

Strike: "infrastructure"

12. Page 3, line 15.

Following: "project."

Insert: "(4) For the purposes of this section, "equipment" means machinery and fixtures used in the design, manufacture, repair, and maintenance of aerospace transportation and technology projects."

Amendment **adopted** as follows:

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

Total 85

Noes: Buzzas, Carney, Eggers, Erickson, Fisher, Gallik, Gutsche, Harris, Hurdle, Jayne, Juneau, Kaufmann, McCann, Musgrove, Smith.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 432**, as amended, be concurred in carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, 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, Jackson, Jacobson, Juneau, Kasten, 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, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 92

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Noes: Buzzas, Carney, Hurdle, Jayne, Jent, Kaufmann, McCann, Smith.
Total 8

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 R. Brown moved the Committee of the Whole report be adopted. Report 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, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 95

Noes: Golie, Harris, Wanzenried.
Total 3

Excused: None.
Total 0

Absent or not voting: Fritz, Kasten.
Total 2

MOTIONS

Representative Sliter moved that the House reconsider its action on **SJR 17** and that the resolution be placed on second reading. Motion carried.

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 69 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, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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

Total 94

Noes: Curtiss, Hurdle, Musgrove, Smith, Wanzenried.

Total 5

Excused: None.

Total 0

Absent or not voting: Gallik.

Total 1

HB 121 passed 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, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jayne, Jent, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Witt, Wolery, Younkin, Mr. Speaker.

Total 86

Noes: Adams, Balyeat, Davies, Esp, Himmelberger, Jackson, Juneau, Kasten, Laible, Laszloffy, Musgrove, Story, Vick, Whitaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 474 passed as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, D. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Devlin, Fuchs, Gallik, Gallus, Hedges, Holden, Jackson, Jacobson, Jent, Keane, Laible, Lawson, Lee, Lehman, Lewis, Mangan, Masolo, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Mr. Speaker.

Total 56

Noes: Adams, Balyeat, Bixby, Branae, R. Brown, Buzzas, Callahan, Carney, Cyr, Davies, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Himmelberger, Hurdle, Jayne, Juneau, Kasten, Kaufmann, Laslovich, Laszloffy, Lenhart, Lindeen, Matthews, Musgrove, Schmidt, Smith,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Steinbeisser, Tramelli, Tropila, Wanzenried, Younkin.
Total 43

Excused: None.
Total 0

Absent or not voting: P. Clark.
Total 1

HB 577 passed as follows:

Ayes: Andersen, Bales, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 84

Noes: Adams, Balyeat, Barrett, R. Brown, Dale, Davies, Esp, Gallik, Gallus, Himmelberger, Jayne, Kasten, Laszloffy, Pattison, Rice, Vick.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 600 passed as follows:

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

Noes: None.
Total 0

Excused: None.
Total 0

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Absent or not voting: None.
Total 0

HB 617 passed as follows:

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

Total 52

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Esp, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Musgrove, Newman, Noennig, Olson, Raser, Schmidt, Schrupf, Smith, Tramelli, Tropila, Wanzenried, Wolery.

Total 47

Excused: None.
Total 0

Absent or not voting: Somerville.
Total 1

HB 623 passed as follows:

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

Total 73

Noes: Adams, Bales, Balyeat, Barrett, R. Brown, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Himmelberger, Kasten, Laible, Laszloffy, Pattison, K. Peterson, Rice, Ripley, Shockley, Sliter, Somerville, Steinbeisser, Vick, Younkin, Mr. Speaker.

Total 26

Excused: None.
Total 0

Absent or not voting: Jacobson.
Total 1

HB 632 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Callahan, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Devlin, Facey, Fuchs, Gallik, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 75

Noes: Bixby, Branae, Buzzas, Carney, Dell, Eggers, Erickson, Fisher, Forrester, Fritz, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Kasten, Kaufmann, Lee, Lindeen, Mangan, Musgrove, Schmidt, Vick.

Total 24

Excused: None.

Total 0

Absent or not voting: Esp.

Total 1

HB 636 passed as follows:

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

Total 53

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lee, Lenhart, Lindeen, McCann, Musgrove, Newman, Price, Raser, Schmidt, Shockley, Smith, Somerville, Tramelli, Tropila, Walters, Wanzenried, Wolery.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 639 passed 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, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Younkin, Mr. Speaker.
Total 92

Noes: Adams, Balyeat, Fisher, Kasten, Laslovich, Pattison, Smith, Vick.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 640 failed (due to 2/3 vote requirement) as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 65

Noes: Balyeat, Bixby, Branae, Buzzas, Callahan, Carney, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lindeen, Mangan, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli, Wanzenried.
Total 35

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 644 passed as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Fisher, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Golie, Haines, Hedges, Himmelberger, Holden, Jackson, Jayne, Jent, Kasten, Laible, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Sliter, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 72

Noes: Balyeat, Bixby, R. Brown, Buzzas, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Esp, Facey, Forrester, Gillan, Gutsche, Harris, Hurdle, Jacobson, Juneau, Kaufmann, Keane, Laslovich, Newman, Shockley, Somerville, Vick, Walters, Wanzenried.
Total 28

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 645 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, 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, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Witt, Wolery, Younkin, Mr. Speaker.
Total 96

Noes: Fisher, Somerville, Whitaker.
Total 3

Excused: None.
Total 0

Absent or not voting: Pattison.
Total 1

HB 646 passed as follows:

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

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

HB 647 passed as follows:

Ayes: Andersen, Bales, Balyeat, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Cyr, Dale, 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, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 87

Noes: Adams, Barrett, Curtiss, Davies, Esp, Fisher, Himmelberger, Kasten, Mood, K. Peterson, Somerville, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: Brueggeman.

Total 1

HB 650 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

MOTIONS

Representative Holden requested on **HB 636**, third reading today, that her vote be changed from yes to no. There being no objections, so ordered.

Representative Laible requested on **SB 135**, second reading today, that his vote be shown as yes. There being no

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

objections, so ordered.

Representative Laible requested on **HB 639**, third reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Himmelberger requested on **HB 121**, third reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Jackson requested on **HB 121**, third reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Shockley requested on **HB 636**, third reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Gallik requested on **HB 632**, third reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Gallus requested on **HB 474**, third reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Lee requested on **SB 108**, second reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Wolery requested on **HB 617**, third reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Esp requested on **HB 121**, third reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Jacobson requested on **HB 617**, third reading today, that his vote be shown as no. There being no objections, so ordered.

Representative Jacobson requested on **SB 141**, second reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Mangan requested on **SB 283**, second reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Davies requested on **HB 474**, third reading today, that his vote be shown as no. There being no objections, so ordered.

Representative Eggers requested on **HB 647**, third reading today, that his vote be changed from no to yes. There being no objections, so ordered.

**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

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

second reading. Motion carried. Representative R. Brown in the chair.

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

Representative Witt excused at this time.

SB 330 - Representative Whitaker moved **SB 330** be concurred in. Motion carried as follows:

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

Total 92

Noes: Brueggeman, Laszloffy, Lewis, McKenney, Somerville.

Total 5

Voted Absentee: Witt, Aye.

Excused: None.

Total 0

Absent or not voting: Holden, Sliter, Mr. Speaker.

Total 3

SB 450 - Representative Price moved **SB 450** be concurred in. 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, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, 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, Schrupf, Shockley, Sliter, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.

Total 96

Noes: Dell, Hurdle, Somerville.

Total 3

Voted Absentee: Witt, Aye.

Excused: None.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 0

Absent or not voting: Mr. Speaker.

Total 1

SB 390 - Representative Ripley moved **SB 390** be concurred in.

SB 390 - Representative Lawson moved **SB 390**, second reading copy, be amended as follows :

1. Title, page 1, line 22.

Following: "PROGRAM;"

Insert: "AUTHORIZING A DISTRICT TO ADOPT A MAXIMUM GENERAL FUND BUDGET PER ANB BASED ON THE STATEWIDE WEIGHTED AVERAGE;"

2. Title, page 1, line 23.

Following: "20-9-168,"

Insert: "20-9-308,"

3. Page 9, line 14.

Following: line 13

Insert: "**Section 11.** Section 20-9-308, MCA, is amended to read:

"20-9-308. BASE budgets and maximum general fund budgets -- definitions. (1) The trustees of a district shall adopt a general fund budget that is at least equal to the BASE budget established for the district and, except as provided in subsection (3) ~~of this section~~, does not exceed the maximum general fund budget established for the district.

(2) (a) Whenever the trustees of a district adopt a general fund budget that exceeds the BASE budget for the district but does not exceed the maximum general fund budget for the district, the trustees shall submit a proposition to the electors of the district, as provided in 20-9-353.

(b) A general fund budget adopted under this subsection (2) may not exceed the greater of:

(i) 104% of the previous year's general fund budget; or

(ii) 104% of the previous year's general fund budget per-ANB multiplied by the current year's ANB for budgeting purposes.

(3) (a) (i) Except as provided in ~~subsections~~ subsection (3)(a)(ii), the trustees of a school district whose previous year's general fund budget exceeds the current year's maximum general fund budget amount may adopt a general fund budget up to the maximum general fund budget amount or up to 94% of the previous year's general fund budget, whichever is greater. A school district may adopt a budget under the criteria of this subsection (3)(a)(i) for a maximum of 5 consecutive years. A school district whose adopted general fund budget for the previous year exceeds the maximum general fund budget for the current year and whose ANB for the previous year exceeds the ANB for the current year by 30% or more shall reduce its adopted budget by:

(A) in the first year, 20% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year;

(B) in the second year, 25% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year;

(C) in the third year, 33.3% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year;

(D) in the fourth year, 50% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year; and

(E) in the fifth year, the remainder of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

(ii) The trustees of a district whose general fund budget was above the maximum general fund budget established by Chapter 38, Special Laws of November 1993, and whose general fund budget has continued to exceed the district's maximum general fund budget in each school fiscal year after school fiscal year 1993 may continue to adopt a general fund budget that exceeds the maximum general fund budget. However, the budget adopted for the current year may not exceed the lesser of:

(A) the adopted budget for the previous year; or

(B) the district's maximum general fund budget for the current year plus the over maximum budget amount adopted for the previous year.

(b) The trustees of the district shall submit a proposition to raise any general fund budget amount that is in excess of the maximum general fund budget for the district to the electors who are qualified under 20-20-301 to vote on the proposition, as provided in 20-9-353.

(c) By February 1 of each year, the superintendent of public instruction shall compute:

(i) the statewide weighted average of maximum general fund budgets per ANB for elementary programs for the previous year; and

(ii) the statewide weighted average of maximum general fund budgets per ANB for high school programs for the previous year.

(d) By March 1 of each school year, the superintendent of public instruction shall notify each school district of the amounts calculated in subsection (3)(c).

(e) The trustees of any district that has a maximum general fund budget per ANB for its elementary or high school program that is less than the statewide weighted average calculated in subsection (3)(c) may, subject to voter approval under subsection (3)(b), adopt a general fund budget for the district equal to the sum of:

(i) the ANB of the elementary program for the current year multiplied by the statewide weighted average for the elementary program; and

(ii) the ANB of the high school program for the current year multiplied by the statewide weighted average for the high school program.

(4) The BASE budget for the district must be financed by the following sources of revenue:

(a) state equalization aid as provided in 20-9-343, including any guaranteed tax base aid for which the district may be eligible, as provided in 20-9-366 through 20-9-369;

(b) county equalization aid, as provided in 20-9-331 and 20-9-333;

(c) a district levy for support of a school not approved as an isolated school under the provisions of 20-9-302;

(d) payments in support of special education programs under the provisions of 20-9-321;

(e) nonlevy revenue as provided in 20-9-141; and

(f) a BASE budget levy on the taxable value of all property within the district.

(5) The over-BASE budget amount of a district must be financed by a levy on the taxable value of all property within the district or other revenue available to the district as provided in 20-9-141.

(6) As used in this section:

(a) "statewide weighted average of maximum general fund budgets per ANB for high school programs" means the sum of the maximum general fund programs for high school programs divided by the total ANB for high school programs; or

(b) "statewide weighted average of maximum general fund budgets per ANB for elementary school programs" means the sum of the maximum general fund programs for elementary school programs divided by the total ANB for elementary school programs."

Renumber: subsequent sections

Amendment **adopted** as follows:

Ayes: Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Haines, Harris, Hedges, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Masolo, Matthews, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Sliter, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Younkin.

Total 65

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Brueggeman, Clancy, E. Clark, Dale, Davies, Devlin, Esp, Fisher, Himmelberger, Holden, Kasten, Laible, Laszloffy, Lehman, Lewis, McCann, McKenney, Pattison, Rice, Ripley, Schrupf, Shockley, Smith, Story, Vick, Waitschies, Walters, Wolery, Mr. Speaker.

Total 34

Excused: Witt.

Total 1

Absent or not voting: None.

Total 0

Motion that **SB 390**, as amended, be concurred in carried as follows:

Ayes: Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, P. Clark, Curtiss, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Mangan, Masolo, Matthews, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Schmidt, Sliter, Somerville, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Younkin.

Total 59

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Brueggeman, Clancy, E. Clark, Dale, Davies, Devlin, Esp, Fisher, Hedges, Himmelberger, Holden, Kasten, Laible, Laszloffy, Lehman, Lewis, Lindeen, McCann, McKenney, Mood, Pattison, Rice, Ripley, Rome, Schrupf, Shockley, Smith, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Wolery, Mr. Speaker.

Total 40

Excused: Witt.

Total 1

Absent or not voting: None.

Total 0

SB 465 - Representative Sliter moved consideration of **SB 465** be placed at the top of the second reading board. Motion carried.

SJR 17 - Representative Sliter moved consideration of **SJR 17** be placed below **SB 465** on the second reading board. Motion carried.

SB 465 - Representative Galvin-Halcro moved **SB 465** be concurred in. 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,

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Erickson, 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, 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, Wolery, Younkin, Mr. Speaker.

Total 97

Noes: Esp.

Total 1

Excused: Witt.

Total 1

Absent or not voting: Lindeen.

Total 1

SJR 17 - Representative Shockley moved **SJR 17** be concurred in.

SJR 17 - Representative Sliter moved **SJR 17**, second reading copy, be amended as follows :

1. Page 1, line 16.

Following: "problems"

Insert: "; and

WHEREAS, the Department of Corrections has identified a need to use the Xanthopoulos Building for the treatment of inmates with chemical dependency and other health-related problems"

2. Page 1, line 21.

Following: "problems"

Insert: "to be used by the Department of Corrections for use in treating inmates with chemical dependency and other health- related problems"

Amendment **adopted** as follows:

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

Total 85

Noes: Buzzas, Callahan, Eggers, Erickson, Fritz, Gallik, Galvin-Halcro, Golie, Gutsche, Hurdle, Kaufmann, Smith, Tramelli, Tropila.

Total 14

Excused: Witt.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 1

Absent or not voting: None.

Total 0

Motion that **SJR 17**, as amended, be concurred in carried as follows:

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

Total 82

Noes: Buzzas, Callahan, Eggers, Erickson, Fritz, Galvin-Halcro, Gutsche, Hurdle, Kaufmann, Laslovich, Lee, McCann, Newman, Raser, Wanzenried.

Total 15

Excused: Witt.

Total 1

Absent or not voting: Olson, Rome.

Total 2

Representative Younkin assumed the chair.

SJR 10 - Representative Mangan moved **SJR 10** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Holden, Hurdle, 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, Shockley, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 88

Noes: Erickson, Gutsche, Hedges, Himmelberger, Jackson.

Total 5

Voted Absentee: Witt, Aye.

Excused: None.

Total 0

Absent or not voting: Bixby, R. Brown, Eggers, Esp, Schrumpf, Sliter, Story.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 7

SB 356 - Representative R. Brown moved **SB 356** be concurred in.

SB 356 - Representative R. Brown moved **SB 356**, second reading copy, be amended as follows :

1. Page 2, line 4.

Insert: "NEW SECTION. Section 2. Coordination instruction. If this act and Senate Bill No. 445 are both passed and approved and if both bills amend 30-16-302, then 30-16-302 must read as follows:

Insert: "**Section 1.** Section 30-16-302, MCA, is amended to read:

"30-16-302. Board of review. (1) There is a board of review. The board of review's duty is to provide policy direction to the department of revenue in the establishment and operation of the system. The board of review includes the directors of the departments of agriculture, ~~commerce~~ labor and industry, environmental quality, livestock, revenue, justice, and public health and human services, the secretary of state, a member appointed by the president of the senate or a designee, and a member appointed by the speaker of the house or a designee. If an agency that is not a member of the board of review requests inclusion in the streamlined registration and licensing plan as provided in 30-16-303, that agency's director must be appointed to the board of review by the governor.

(2) The governor shall appoint a presiding officer from among the members of the board of review.

(3) The board of review shall meet at the call of the presiding officer at least once each calendar quarter to:

(a) establish interagency policy and guidelines for the plan;

(b) review the findings, status, and problems of system operations and recommend courses of action; and

(c) receive reports from industry and agency task forces that the board of review may request to inquire into particular issues.

(4) The board of review may implement a plan for streamlined registration and licensing to include licenses not specified in 30-16-301, as provided in 30-16-303.

(5) The board of review is attached to the department of revenue for administrative purposes only as provided in 2-15-121.""

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, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, 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, Younkin, Mr. Speaker.

Total 96

Noes: Hurdle.

Total 1

Excused: Witt.

Total 1

Absent or not voting: Kaufmann, Wolery.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 2

Motion that **SB 356**, as amended, be concurred in 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, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 94

Noes: Hurdle.

Total 1

Voted Absentee: Witt, Aye.

Excused: None.

Total 0

Absent or not voting: Curtiss, Lindeen, Musgrove, Pattison, Somerville.

Total 5

Representative R. Brown reassumed the chair.

SB 48 - Representative McKenney moved **SB 48** be concurred in. Motion carried as follows:

Ayes: Adams, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Carney, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laszloffy, Lawson, Lee, Lehman, Lewis, Lindeen, Mangan, Masolo, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Vick, Waddill, Waitschies, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.

Total 76

Noes: Andersen, Brueggeman, Callahan, P. Clark, Cyr, Eggers, Erickson, Esp, Facey, Fuchs, Gutsche, Haines, Harris, Hurdle, Kasten, Laslovich, Lenhart, Matthews, Mood, Pattison, Rice, Tropila, Walters, Witt.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Representative Younkin assumed the chair.

SB 469 - Representative Lawson moved **SB 469** be concurred in. Motion carried as follows:

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

Total 87

Noes: Bixby, Buzzas, Cyr, Dale, Eggers, Erickson, Hurdle, Juneau, Smith, Waitschies.

Total 10

Voted Absentee: Witt, Aye.

Excused: None.

Total 0

Absent or not voting: R. Brown, Himmelberger, Schmidt.

Total 3

SB 322 - Representative McKenney moved **SB 322** be concurred in. Motion carried 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, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kasten, 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, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Story, Tramelli, Tropila, Vick, Waddill, Walters, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.

Total 89

Noes: R. Brown, Eggers, Hedges, Himmelberger, Jackson, Kaufmann, Ripley, Steinbeisser, Thomas, Waitschies, Witt.

Total 11

Voted Absentee: Witt, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 339 - Representative R. Brown moved **SB 339** be concurred in. Motion carried as follows:

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Ayes: Andersen, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, 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, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Thomas, Tramelli, Tropila, Waddill, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 80

Noes: Adams, Bales, Balyeat, Barrett, E. Clark, Dale, Davies, Dell, Devlin, Eggers, Kasten, Laszloffy, Pattison, Somerville, Steinbeisser, Story, Vick, Waitschies, Wanzenried.

Total 19

Voted Absentee: Witt, Aye.

Excused: None.

Total 0

Absent or not voting: D. Brown.

Total 1

SB 288 - Representative Sliter moved consideration of **SB 288** be placed at the top of the second reading board. Motion carried.

Representative R. Brown reassumed the chair.

SB 288 - Representative Raser moved **SB 288** be concurred in. 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, Wolery, Younkin, Mr. Speaker.

Total 98

Noes: Whitaker.

Total 1

Excused: Witt.

Total 1

Absent or not voting: None.

Total 0

Representative Raser excused at this time.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

SB 423 - Representative K. Peterson moved **SB 423** be concurred in. 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, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lenhart, Lewis, Lindeen, Masolo, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Younkin, Mr. Speaker.

Total 88

Noes: Barrett, Galvin-Halcro, Jackson, Lehman, Mangan, McCann, Rice, Ripley, Rome, Steinbeisser, Witt, Wolery.

Total 12

Voted Absentee: Raser, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 436 - Representative Olson moved **SB 436** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, 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, Jacobson, Jayne, Jent, Kaufmann, Keane, 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, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 90

Noes: Adams, Balyeat, Davies, Jackson, Juneau, Kasten, Laible, McCann, Vick.

Total 9

Voted Absentee: Galvin-Halcro, Raser, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: Branae.

Total 1

SB 298 - Representative Forrester moved **SB 298** be concurred in. Motion carried as follows:

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

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

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

Total 100

Noes: None.

Total 0

Voted Absentee: Branae, Galvin-Halcro, Raser, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 327 - Representative Golie moved consideration of **SB 327** be placed below **SB 491** on the second reading board. Motion carried.

SB 318 - Representative Pattison moved **SB 318** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, 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, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 94

Noes: Erickson, Galvin-Halcro, Gutsche, Wanzenried.

Total 4

Voted Absentee: Branae, Raser, Witt, Ayes; Galvin-Halcro, No.

Excused: None.

Total 0

Absent or not voting: Carney, Jacobson.

Total 2

SB 319 - Representative Golie moved consideration of **SB 319** be placed below **SB 243** on the second reading board. Motion carried.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

SB 491 - Representative Haines moved **SB 491** be concurred in. Motion carried as follows:

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

Total 100

Noes: None.

Total 0

Voted Absentee: Branae, Galvin-Halcro, Raser, Witt, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 327 - Representative Golie moved consideration of **SB 327** be placed at the bottom of the second reading board. Motion carried.

Representative Younkin assumed the chair.

SB 243 - Representative Story moved **SB 243** be concurred in.

SB 243 - Representative Story moved **SB 243**, second reading copy, be amended as follows :

1. Title, line 19.

Following: ";"

Insert: "EXEMPTING CERTAIN PUBLIC UTILITIES FROM FILING A TRANSITION PLAN UNTIL THEY CAN REASONABLY IMPLEMENT CUSTOMER CHOICE;"

2. Page 9, line 29.

Strike: ":"

3. Page 9, line 30.

Strike: "(a)"

4. Page 10, line 1 through line 6.

Following: "territory" on line 1

Strike: remainder of line 1 through "2005" on line 7

Amendment **adopted** as follows:

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, 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, 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, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Branae, Galvin-Halcro, Raser, Witt.

Total 4

Absent or not voting: Gallus, Newman, Noennig, Sliter, Waddill.

Total 5

Representative Witt present at this time.

Motion that **SB 243**, as amended, be concurred in carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Clancy, E. Clark, Curtiss, Cyr, Dell, Devlin, Fisher, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laszloffy, Lehman, Lewis, Mangan, Masolo, Matthews, McKenney, Mood, Newman, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schruppf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Waddill, Waitschies, Walters, Whitaker, Witt, Younkin, Mr. Speaker.

Total 55

Noes: Adams, Balyeat, Bixby, R. Brown, Buzzas, Carney, P. Clark, Dale, Davies, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lenhart, Lindeen, McCann, Musgrove, Noennig, Schmidt, Tramelli, Tropila, Vick, Wanzenried, Wolery.

Total 44

Voted Absentee: Branae, Raser, Ayes; Galvin-Halcro, No.

Excused: None.

Total 0

Absent or not voting: Sliter.

Total 1

SB 319 - Representative Golie moved consideration of **SB 319** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 327 - Representative Golie moved consideration of **SB 327** be placed at the top of the second reading board.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Motion carried.

Representative R. Brown reassumed the chair.

SB 327 - Representative Lindeen moved **SB 327** be concurred in. Motion carried as follows:

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

Total 93

Noes: Carney, P. Clark, Gutsche, Harris, K. Peterson.

Total 5

Voted Absentee: Branae, Galvin-Halcro, Raser, Ayes.

Excused: None.

Total 0

Absent or not voting: McCann, Schmidt.

Total 2

SB 378 - Representative Dale moved **SB 378** be concurred in. 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, 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 98

Noes: Adams.

Total 1

Voted Absentee: Branae, Galvin-Halcro, Raser, Ayes.

Excused: None.

Total 0

Absent or not voting: Harris.

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

Total 1

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

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fuchs, Gallus, Gillan, Golie, Haines, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, 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, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 87

Noes: Eggers, Fritz, Gallik, Gutsche, Harris, Kaufmann, Lee, Waitschies, Wanzenried.

Total 9

Excused: Branae, Galvin-Halcro, Raser.

Total 3

Absent or not voting: Sliter.

Total 1

MOTIONS

Representative Lee requested on **SB 48**, second reading today, that her vote be changed from no to yes. There being no objections, so ordered.

Representative Laslovich requested on **SB 104**, second reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Newman requested on **SJR 10**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Newman requested on **SB 48**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Schrumpf requested on **SB 48**, second reading today, that her vote be changed from no to yes. There being no objections, so ordered.

Representative P. Clark requested on **SB 245**, second reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative P. Clark requested on **HB 640**, third reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Gillan requested on **SB 48**, second reading today, that her vote be changed from no to yes. There being

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - MARCH 29, 2001

no objections, so ordered.

Representative Lawson requested on **SB 327**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Younkin moved that **SB 322** be taken from the Committee of the Whole a rereferred to the Committee on Appropriations. Motion carried.

Speaker Pro Tempore Mood assumed the chair.

Speaker McGee requested the House to reconsider its action on **HB 640** and that it be placed on third reading today. Motion carried.

Speaker McGee reassumed the chair.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 640 passed as follows:

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

Total 73

Noes: Bixby, Buzzas, Callahan, Carney, Cyr, Eggers, Erickson, Fritz, Gallik, Gillan, Golie, Gutsche, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Musgrove, Schmidt, Smith, Tramelli, Wanzenried.

Total 23

Excused: None.

Total 0

Absent or not voting: Branae, Facey, Galvin-Halcro, Raser.

Total 4

ANNOUNCEMENTS

Representative Younkin moved that the House adjourn until 8:00 a.m., Friday, March 30, 2001. Motion carried.

House adjourned at 9:05 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House