

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

Helena, Montana
April 3, 2001

House Chambers
State Capitol

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

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

Mr. Speaker introduced the pages of the week:

Jolene Sawyer, Conrad
Katie Jaynes, Lewistown
Stephenne Harding, Whitefish
Rick Willis, Helena
Laura Trembath, Bigfork
Sam Sulser, Martinsdale
Scottia Morris, Belfry
Kevin Bueling, Great Falls
Eric Bueling, Great Falls
Paul Flament, Lewistown

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/3/2001
Correctly printed: **SB 514**.
Correctly engrossed: **SB 147, SB 226, SB 479**.
Examined by the sponsor and found to be correct: **HB 30, HB 38, HB 195, HB 346, HB 348, HB 456, HB 468, HB 505, HB 599, HB 626, HJR 34**.

EDUCATION (Masolo, Chairman): 4/3/2001
HJR 40, introduced joint resolution, be amended as follows:

1. Title, line 5 through line 6.
Strike: "LEGISLATIVE" on line 5 through "TO" on line 6
Insert: "BOARD OF PUBLIC EDUCATION"
2. Title, line 8.
Strike: the first "TO"
3. Page 1, line 22.
Strike: "Legislative Council"
Insert: "Board of Public Education"
4. Page 1, line 22 through line 23.
Strike: "designate" on line 22 through the second "to" on line 23
5. Page 2.

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Strike: lines 13 and 14 in their entirety

6. Page 2, line 16.

Strike: "September"

Insert: "December"

7. Page 2.

Following: line 18

Insert: "BE IT FURTHER RESOLVED, that a copy of this resolution be sent by the Secretary of State to the Board of Public Education."

And, as amended, be adopted. Report adopted.

HJR 41, be adopted. Report adopted.

SB 493, be concurred in. Report adopted.

SB 495, be amended as follows:

1. Title, line 12.

Following: "z"

Insert: "APPROPRIATING THE LOAN PROCEEDS;"

2. Page 5, line 13.

Following: "INTEREST"

Insert: "-- appropriation"

Strike: "LOANED"

Insert: "appropriated"

3. Page 5, line 16.

Following: "DEPOSIT THE"

Insert: "appropriated"

4. Page 6, line 12.

Insert: "NEW SECTION. Section 11. Three-fourths vote. Because [section 8] appropriates money from the coal severance tax permanent fund, Article IX, section 5, of the Montana constitution requires a vote of three-fourths of the members of each house of the legislature for passage."

Renumber: subsequent section

5. Page 6, line 14.

Strike: "9"

Insert: "11"

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

SB 511, be concurred in. Report adopted.

TAXATION (Story, Chairman):

4/2/2001

SB 92, be amended as follows:

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1. Title, page 1, line 5.

Strike: "REPEALING"

Insert: "EXTENDING"

2. Title, page 1, line 6.

Following: "MATERIAL"

Insert: "AND THE INCOME AND CORPORATE TAX DEDUCTION FOR THE PURCHASE OF RECYCLED MATERIAL"

3. Title, page 1, line 9 and line 10.

Strike: "REPEALING" on line 9 through "MATERIAL;" on line 10

4. Title, page 1, line 11.

Strike: "REPEALING SECTION 15-32-604, MCA"

5. Page 4, line 15 through line 17.

Strike: section 4 in its entirety

Insert: "Section 4. Section 9, Chapter 712, Laws of 1991, is amended to read:

"Section 9. **Termination.** [This act] terminates December 31, ~~1995~~ 2005."

Insert: "Section 5. Section 4, Chapter 542, Laws of 1995, is amended to read:

"Section 9. **Termination.** [This act] terminates December 31, ~~1995~~ ~~2001~~ 2005."

Insert: "Section 6. Section 5, Chapter 542, Laws of 1995, is amended to read:

"Section 5. **Termination -- exception.** (1) [Sections 1 through 3] terminate December 31, ~~1997~~ 2005.

(2) Notwithstanding subsection (1), 15-32-603(3), as numbered by [this act], which reads: "A credit under this section may be claimed by a taxpayer for a business only if the qualifying property is purchased before January 1, ~~1998~~ 2006.", is deleted in its entirety on December 31, ~~1997~~ 2005."

Insert: "Section 7. Section 1, Chapter 411, Laws of 1997, is amended to read:

"Section 5. **Termination -- exception.** (1) [Sections 1 through 3] terminate December 31, ~~1997~~ ~~2001~~ 2005.

(2) Notwithstanding subsection (1), 15-32-603(3), as numbered by [this act], which reads: "A credit under this section may be claimed by a taxpayer for a business only if the qualifying property is purchased before January 1, ~~1998~~ ~~2002~~ 2006.", is deleted in its entirety on December 31, ~~1997~~ ~~2001~~ 2005."

Renumber: subsequent section

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

SB 129, be amended as follows:

1. Page 1, line 23.

Following: "coverage"

Insert: ", including income tax incentives"

2. Page 1, line 24.

Strike: "means:"

Insert: "has the meaning provided in 50-16-504."

3. Page 1, line 25 through page 2, line 3.

Strike: line 25 on page 1 through line 3 on page 2

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

SB 162, be concurred in. Report adopted.

SB 258, be amended as follows:

4/3/2001

1. Page 2, line 27.

Strike: "July 1, 1997"

Insert: "[the effective date of this act]"

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

SB 280, be concurred in. Report adopted.

SB 325, be amended as follows:

1. Page 6.

Following: line 21

Insert: "NEW SECTION. Section 7. Coordination instruction. If Senate Bill No. 446 and [this act] are both passed and approved, then Senate Bill No. 446 is void."

Renumber: subsequent sections

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

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/2/2001

SB 182, introduced by Cobb

SB 262, introduced by Wells

SB 274, introduced by Keenan

SB 282, introduced by Crismore

SB 357, introduced by Ryan

House amendments to Senate joint resolution concurred in:

4/2/2001

SJR 18, introduced by Taylor

Free conference committee report #1 adopted:

4/2/2001

SB 4, introduced by Grimes

Governor's amendments to Senate bills concurred in and transmitted to the House for concurrence in the Governor's amendments:

4/2/2001

SB 80, introduced by Mahlum

SB 168, introduced by Stonington

MESSAGES FROM THE GOVERNOR

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April 2, 2001

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

Dear Representative McGee:

Please be informed that I have signed **House Bill 374** sponsored by Representative Eggers et al. on April 2, 2001.

Sincerely,

JUDY MARTZ
Governor

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:

SB 147 concurred in 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: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 226 concurred in as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bookout-Reinicke, Callahan, Clancy, P. Clark, Curtiss, Cyr, Dale,

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Davies, Dell, Esp, Fisher, Forrester, Fritz, Fuchs, Gillan, Haines, Harris, Hedges, Holden, Jackson, Jacobson, Jent, Kasten, Laible, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Matthews, McKenney, Mood, Newman, Pattison, A. Peterson, K. Peterson, Price, Raser, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 60

Noes: Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, Devlin, Eggers, Erickson, Facey, Gallik, Gallus, Galvin-Halcro, Golie, Gutsche, Himmelberger, Hurdle, Jayne, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Mangan, Masolo, McCann, Musgrove, Noennig, Olson, Rice, Ripley, Rome, Schmidt, Smith, Tramelli, Vick, Wanzenried.
Total 40

Voted Absentee: Eggers, Mangan, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 479 concurred in as follows:

Ayes: Andersen, Balyeat, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cyr, Dale, Davies, Dell, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rome, Schmidt, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Wanzenried, Whitaker, Wolery, Younkin, Mr. Speaker.
Total 73

Noes: Adams, Bales, Barrett, Bitney, D. Brown, Clancy, E. Clark, Curtiss, Devlin, Eggers, Esp, Fisher, Fuchs, Golie, Hedges, Kasten, Laszloffy, Mood, Musgrove, Pattison, Rice, Ripley, Smith, Tramelli, Waitschies, Walters, Witt.
Total 27

Voted Absentee: Mangan, Aye; Eggers, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**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 Andersen in the chair.

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

HB 29 - Representative Noennig moved consideration of **HB 29** be passed for the day. Motion carried.

SJR 13 - Representative Curtiss moved **SJR 13** be concurred in. Motion carried as follows:

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

Total 83

Noes: Bixby, Buzzas, Erickson, Fritz, Galvin-Halcro, Gutsche, Harris, Hurdle, Juneau, Kaufmann, Lee, Lindeen, Musgrove, Newman, Noennig, Schmidt, Tropila.

Total 17

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 50 - Representative Walters moved **SB 50** be concurred in.

Representative Galvin-Halcro moved consideration of **SB 50** be passed for the day. Motion failed as follows:

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

Total 41

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

Total 56

Excused: Eggers, Mangan.

Total 2

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Absent or not voting: Balyeat.
Total 1

Motion that **SB 50** be concurred in carried as follows:

Ayes: Adams, Balyeat, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Curtiss, Cyr, Dale, Eggers, Erickson, Esp, Facey, Fritz, Fuchs, Gallik, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lee, Lenhart, Lewis, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Raser, Ripley, Schmidt, Schrupf, Shockley, Sliter, Smith, Steinbeisser, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Younkin, Mr. Speaker.
Total 74

Noes: Andersen, Bales, Barrett, Bixby, R. Brown, Clancy, Davies, Dell, Devlin, Fisher, Forrester, Gallus, Galvin-Halcro, Holden, Juneau, Laible, Lehman, Lindeen, Price, Rice, Rome, Somerville, Story, Tramelli, Witt, Wolery.
Total 26

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 210 - Representative Masolo moved **SB 210** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, 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, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 96

Noes: Balyeat, Golie, Haines, Tramelli.
Total 4

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SB 289 - Representative Whitaker moved **SB 289** be concurred in. Motion carried as follows:

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

Total 75

Noes: Adams, Bales, Bitney, D. Brown, R. Brown, Carney, Dale, Davies, Devlin, Esp, Fisher, Himmelberger, Holden, Kasten, Laible, Laszloffy, McCann, Mood, Pattison, K. Peterson, Sliter, Story, Vick, Waitschies, Mr. Speaker.

Total 25

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 203 - Representative Steinbeisser moved **SB 203** 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, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 98

Noes: Fritz, Gutsche.

Total 2

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 358 - Representative Keane moved **SB 358** be concurred in. Motion carried as follows:

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

Total 95

Noes: Adams, Hedges, Masolo, Waitschies.

Total 4

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

SB 305 - Representative Price moved **SB 305** 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: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 313 - Representative Laible moved **SB 313** 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,

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Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Hedges, Himmelberger, Holden, Hurdle, Jacobson, 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, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 92

Noes: Adams, Davies, Gallik, Harris, Jackson, Jayne, McCann, Vick.

Total 8

Voted Absentee: Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 - Representative R. Brown moved **SB 96** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, 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, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 97

Noes: Ripley.

Total 1

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney, D. Brown.

Total 2

SB 373 - Representative Laible moved **SB 373** 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, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible,

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Total 99

Noes: Hurdle.

Total 1

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 438 - Representative Gillan moved **SB 438** be concurred in. Motion carried as follows:

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

Total 98

Noes: Balyeat, Hurdle.

Total 2

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 360 - Representative Galvin-Halcro moved **SB 360** 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, 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, 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,

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Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 92

Noes: Adams, Balyeat, Davies, Jackson, Kasten, Vick, Waitschies.

Total 7

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: Ripley.

Total 1

SB 340 - Representative Bitney moved **SB 340** 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, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Younkin, Mr. Speaker.

Total 96

Noes: Gallus, Hurdle, Lee.

Total 3

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: Wolery.

Total 1

HB 216 - Senate Amendments - Representative Himmelberger moved Senate amendments to **HB 216** be **not** 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, Esp, Fisher, Forrester, Fuchs, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

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Total 77

Noes: Branae, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jayne, Juneau, Kaufmann, Mangan, Musgrove, Raser, Smith, Tramelli, Wanzenried.

Total 21

Voted Absentee: Dale, Aye; Eggers, Mangan, Noes.

Excused: None.

Total 0

Absent or not voting: McCann, Sliter.

Total 2

HB 266 - Senate Amendments - Representative Clancy moved Senate amendments to **HB 266** be **not** concurred in. Motion carried as follows:

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

Total 78

Noes: Buzzas, Callahan, P. Clark, Cyr, Erickson, Facey, Fritz, Gallus, Golie, Gutsche, Harris, Hurdle, Juneau, Kaufmann, Keane, Lenhart, Newman, Raser, Tramelli, Wanzenried.

Total 20

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.

Total 0

Absent or not voting: Carney, McCann.

Total 2

HJR 32 - Senate Amendments - Representative Bixby moved Senate amendments to **HJR 32** be **not** 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, 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,

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Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 98

Noes: E. Clark, Vick.
Total 2

Voted Absentee: Dale, Eggers, Mangan, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Sliter moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Andersen 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, Davies, Dell, Devlin, 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, 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: None.
Total 0

Excused: Dale, Eggers, Mangan.
Total 3

Absent or not voting: K. Peterson.
Total 1

MOTIONS

Representative Golie moved that the House reconsider its action on **SB 428** and that it be placed on third reading today. Motion carried as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dell, Erickson, Facey, Forrester, Fritz, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lewis, Lindeen, Matthews, Musgrove, Newman, Noennig, A. Peterson, Price, Raser, Rome, Schmidt, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried.
Total 49

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Total 43

Excused: Dale, Eggers, Mangan.

Total 3

Absent or not voting: Balyeat, Gallik, McCann, K. Peterson, Ripley.

Total 5

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:

SB 428 concurred in as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, Mood, Musgrove, Newman, Noennig, A. Peterson, Price, Raser, Rome, Schmidt, Shockley, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker.

Total 57

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, E. Clark, Curtiss, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lehman, Masolo, McKenney, Olson, Pattison, K. Peterson, Rice, Schrupf, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Witt, Wolery, Younkin, Mr. Speaker.

Total 41

Voted Absentee: Eggers, Mangan, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Ripley.

Total 1

MOTIONS

Representative Curtiss moved that the House suspend the rules for the late introduction and transmittal of a resolution. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Clancy, Curtiss, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Gallik, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Kasten, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood,

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Musgrove, Noennig, Olson, Pattison, A. Peterson, Price, Rice, Ripley, Rome, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 63

Noes: Bixby, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cyr, Erickson, Facey, Fritz, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lindeen, Newman, Raser, Schmidt, Tramelli, Tropila, Wanzenried.
Total 30

Excused: Dale, Eggers, Mangan.
Total 3

Absent or not voting: Balyeat, E. Clark, K. Peterson, Schrupf.
Total 4

Representative Gallik moved that the House suspend the rules for the late introduction and transmittal of a bill. Motion failed as follows:

Ayes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, McCann, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli, Tropila, Wanzenried.
Total 40

Noes: Adams, Andersen, Bales, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lehman, Lewis, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 53

Excused: Dale, Eggers, Mangan.
Total 3

Absent or not voting: Balyeat, Masolo, Matthews, Schrupf.
Total 4

Representative Sliter moved that **SB 315** be taken from the Committee on Human Services and rereferred to the Committee on Appropriations. Motion carried.

Representative Facey requested on **SB 147**, third reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Lenhart requested on **SB 203**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Fritz requested on **SB 226**, third reading today, that her vote be changed from no to yes. There being no objections, so ordered.

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Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HJR 32**. Motion carried.

The Speaker appointed the following members:

Representative Thomas, Chairman
Representative Lawson
Representative Bixby

Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 216**. Motion carried.

The Speaker appointed the following members:

Representative Himmelberger, Chairman
Representative Harris
Representative K. Peterson

Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 266**. Motion carried.

The Speaker appointed the following members:

Representative Shockley, Chairman
Representative P. Clark
Representative Clancy

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 12:00 p.m., Wednesday, April 4, 2001. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House