

**HOUSE JOURNAL  
58TH LEGISLATURE  
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
March 11, 2003

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Lenhart, Matthews, and B. Ryan, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the forty-sixth, forty-seventh, forty-eighth, forty-ninth, and fiftieth legislative days, find the same to be correct.  
Bookout-Reinicke, Chair

**COMMUNICATIONS AND PETITIONS**

**A PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF MONTANA**

*WHEREAS*, Kristi Benson, an esteemed resident of Dillon and a student at Beaverhead County High, has achieved national recognition for exemplary volunteer service by receiving a 2003 Prudential Spirit of Community Award; and

*WHEREAS*, this prestigious award, presented by Prudential Financial in partnership with National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

*WHEREAS*, Ms. Benson earned this award by giving generously of her time and energy to create a non-profit organization that has raised more than \$27,000 to provide essential educational materials to public schools and students in her rural county that cannot afford to buy them; and

*WHEREAS*, the success of the State of Montana, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Benson who use their considerable talents and resources to serve others;

Now therefore, pursuant to a motion of Senator Tash and Representative Barrett:

*BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA*: that the 58th Legislature hereby congratulates and honors Ms. Benson as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership and community spirit, and extends best wishes for her continued success and happiness.

Signed by President Bob Keenan, Senator Bill Tash, Speaker Doug Mood, and Representative Debby Barrett.

**REPORTS OF STANDING COMMITTEES**

Correctly printed: **SB 14, SB 20, SB 31, SB 32, SB 49, SB 64, SB 68, SB 69.**

Correctly engrossed: **SB 75.**

Correctly enrolled: **HB 29, HB 59, HB 94, HB 106, HB 116, HB 128, HB 149, HB 150.**

Examined by the sponsor and found to be correct: **HB 29, HB 94, HB 149, HB 150.**

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Signed by the Speaker at 10:45 a.m., March 11, 2003: **HB 29, HB 59, HB 94, HB 106, HB 116, HB 128, HB 149, HB 150.**

Delivered to the Governor for approval at 9:00 a.m., March 11, 2003: **HB 87.**

**EDUCATION** (Andersen, Chairman): 3/10/2003  
**SB 16**, be concurred in. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Bitney, Chairman): 3/11/2003  
**SB 70**, be concurred in and be placed on the consent calendar. Report adopted.  
**SB 88**, be concurred in and be placed on the consent calendar. Report adopted.  
**SJR 24**, be concurred in and be placed on the consent calendar. Report adopted.

**HUMAN SERVICES** (Thomas, Chairman): 3/11/2003  
**HB 698**, introduced bill, be amended as follows:

1. Title, line 8.

**Strike:** "AN"

**Insert:** "A DELAYED"

2. Page 1, line 20 through line 21.

**Strike:** line 20 through line 21 in their entirety

**Renumber:** subsequent subsection

3. Page 1, line 22.

**Strike:** "nine"

**Insert:** "six"

4. Page 2, line 1.

**Following:** "The"

**Insert:** "public"

**Strike:** "must"

**Insert:** "may"

5. Page 2, line 2.

**Following:** "2-18-503"

**Insert:** ", subject to available funding"

6. Page 3, line 8.

**Strike:** "and"

7. Page 3, line 9.

**Following:** line 8

**Insert:** "(f) a space in which the person registering the vehicle may indicate the person's desire to donate \$1 or more to promote education on, support for, and awareness of traumatic brain injury; and"

**Renumber:** subsequent subsection

8. Page 3, line 21.

**Following:** "education"

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**Insert:** "on, support for,"

9. Page 4, line 13.

**Strike:** "July 1, 2003"

**Insert:** "January 1, 2004"

And, as amended, do pass. Report adopted.

**SB 55**, be concurred in. Report adopted.

**SB 94**, be concurred in. Report adopted.

**SJR 21**, be concurred in and be placed on the consent calendar. Report adopted.

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

3/11/2003

**SB 71**, be concurred in and be placed on the consent calendar. Report adopted.

**SB 78**, be concurred in and be placed on the consent calendar. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 750**, introduced by R. Brown, Bitney, Forrester, Keenan, Mangan, Mood, A. Olson, Shea, F. Thomas, Younkin, referred to Appropriations.

Majority Leader Brown moved that the House recess until 1:30 p.m. for caucuses. Motion carried.

House recessed at 1:07 p.m.

House reconvened at 1:32 p.m. All members present, except Representatives Lenhart, Matthews, and B. Ryan, excused. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman):

3/11/2003

Correctly enrolled: **HB 36, HB 45, HB 65, HB 77, HB 194, HB 353, HB 364, HB 366, HB 601, HJR 18, HJR 22.**

Examined by the sponsor and found to be correct: **HB 59, HB 106, HB 116, HB 128.**

**BUSINESS AND LABOR** (McKenney, Chairman):

3/11/2003

**SB 26**, be amended as follows:

1. Title, line 10.

**Following:** "CHECKS;"

**Insert:** "PROHIBITING A TITLE LENDER FROM HOLDING A TITLE FOR MORE THAN 30 CALENDAR DAYS WITHOUT PERFECTING THE TITLE LENDER'S SECURITY INTEREST;"

2. Page 4, following line 4.

**Insert:** "(g) hold a title for more than 30 calendar days without perfecting the title lender's security interest;"

**Renumber:** subsequent subsections

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

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**SB 36**, be amended as follows:

1. Title, line 10.

**Strike:** "IS A SOLE PROPRIETOR AND"

2. Page 2, line 27.

**Strike:** "IS A SOLE PROPRIETOR AND"

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

**SB 125**, be concurred in. Report adopted.

**SB 144**, be concurred in. Report adopted.

**SB 151**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Barrett, Chairman):

3/11/2003

**HB 13**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** " ; "

**Insert:** "PROVIDING SALARY INCREASES; FREEZING THE STATEWIDE PAY SCHEDULE;"

2. Title, page 1, line 9.

**Strike:** "INCREASE" through "PROGRAMS"

**Insert:** "INCREASES"

3. Page 1, line 24.

**Following:** "and"

**Insert:** "pay adjustments and"

4. Page 2.

**Following:** line 23

**Insert:** "(d) Effective on the first day of the first complete pay period that includes January 1, 2004, the base salary of each employee must be increased by an amount equal to 45 cents an hour or by a lesser amount so that the employee's base salary after the increase does not exceed the maximum salary of the pay grade as provided in subsection (1)(g).

(e) Effective on the first day of the first complete pay period that includes January 1, 2005, the base salary of each employee must be increased by an amount equal to 45 cents an hour or by a lesser amount so that the employee's base salary after the increase does not exceed the maximum salary of the pay grade as provided in subsection (1)(g)."

**Renumber:** subsequent subsections

5. Page 3, line 2.

**Strike:** "schedule"

**Insert:** "schedules"

**Strike:** "indicates"

**Insert:** "indicate"

6. Page 3.

**Following:** line 10

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**Insert:** "(iii) Effective on the first day of the first complete pay period that includes January 1, 2004, the base salary of each teacher employed in the department of public health and human services and the department of corrections is the amount provided for the teacher's step and education level under 2-18-315(2). This subsection (3)(a)(iii) does not provide for a step advancement.

(iv) Effective on the first day of the first complete pay period that includes January 1, 2005, the base salary of each teacher employed in the department of public health and human services and the department of corrections is the amount provided for the teacher's step and education level under 2-18-315(3). This subsection (3)(a)(iv) does not provide for a step advancement."

7. Page 3, line 11.

**Strike:** "schedule"

**Insert:** "schedules"

**Strike:** "indicates"

**Insert:** "indicate"

8. Page 7, line 27.

**Strike:** "schedule"

**Insert:** "schedules"

**Following:** "(†)"

**Insert:** "(1)"

9. Page 9, line 5.

**Following:** "44,839"

**Insert:** "(2) Effective on the first day of the first full pay period that includes January 1, 2004, the pay schedule for teachers is as follows:

Annual Hours -- 2080  
Term -- Twelve Months

Note: Does Not Include Insurance  
Matrix Type -- Annual

Education Level

STEP	BA	BA+15	BA+30	BA+45	BA+60	BA+75
1	28,065	28,878	29,716	30,579	31,468	32,385
2	28,878	29,716	30,579	31,468	32,385	33,329
3	29,716	30,579	31,468	32,385	33,329	34,301
4	30,579	31,468	32,385	33,329	34,301	35,302
5	31,468	32,385	33,329	34,301	35,302	36,332
6	32,385	33,329	34,301	35,302	36,332	37,395
7	33,329	34,301	35,302	36,332	37,395	38,488
8	34,301	35,302	36,332	37,395	38,488	39,615
9	35,302	36,332	37,395	38,488	39,615	40,776
10	36,332	37,395	38,488	39,615	40,776	41,971
11	37,395	38,488	39,615	40,776	41,971	43,202
12	38,488	39,615	40,776	41,971	43,202	44,468
13	39,615	40,776	41,971	43,202	44,468	45,775

(3) Effective on the first day of the pay period that includes January 1, 2005, the pay schedule for teachers is as follows:

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Annual Hours -- 2080  
Term -- Twelve Months

Note: Does Not Include Insurance  
Matrix Type -- Annual

Education Level

STEP	BA	BA+15	BA+30	BA+45	BA+60	BA+75
1	29,001	29,814	30,652	31,515	32,404	33,321
2	29,814	30,652	31,515	32,404	33,321	34,265
3	30,652	31,515	32,404	33,321	34,265	35,237
4	31,515	32,404	33,321	34,265	35,237	36,238
5	32,404	33,321	34,265	35,237	36,238	37,268
6	33,321	34,265	35,237	36,238	37,268	38,331
7	34,265	35,237	36,238	37,268	38,331	39,424
8	35,237	36,238	37,268	38,331	39,424	40,551
9	36,238	37,268	38,331	39,424	40,551	41,712
10	37,268	38,331	39,424	40,551	41,712	42,907
11	38,331	39,424	40,551	41,712	42,907	44,138
12	39,424	40,551	41,712	42,907	44,138	45,404
13	40,551	41,712	42,907	44,138	45,404	46,711"

10. Page 9, line 8.

**Strike:** "schedule"

**Insert:** "schedules"

**Following:** "(+)"

**Insert:** "(1)"

11. Page 11, line 5.

**Following:** "17.595"

**Insert:** "(2) Effective on the first day of the first full pay period that includes January 1, 2004, the pay schedule for blue collar workers is as follows:

Annual Hours -- 2080  
Term -- Blue Collar

Note: Does Not Include Insurance  
Matrix Type -- Hourly

Grade	\$/Hour
B1	12.845
B2	13.245
B3	13.645
B4	14.045
B5	14.445
B6	14.845
B7	15.245
B8	15.645
B9	16.045
B10	16.445
B11	16.845
B12	17.245

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B13 17.645  
B14 18.045

(3) Effective on the first day of the first full pay period that includes January 1, 2005, the pay schedule for blue collar workers is as follows:

Annual Hours -- 2080                      Note: Does Not Include Insurance  
Term -- Blue Collar                              Matrix Type -- Hourly

Grade	\$/Hour
B1	13.295
B2	13.695
B3	14.095
B4	14.495
B5	14.895
B6	15.295
B7	15.695
B8	16.095
B9	16.495
B10	16.895
B11	17.295
B12	17.695
B13	18.095
B14	18.495"

12. Page 12, line 10.

**Strike:** "[section 6]"

**Insert:** "[this act]"

13. Page 12, line 14 through line 18.

**Strike:** line 14 through line 18

**Insert:**

"Legislative Branch	74,974	19,214	233,736	59,902
Consumer Counsel		3,876		28,698
Judicial Branch	196,789	28,113	602,055	86,008
Executive Branch	3,158,491	5,837,495	9,607,443	17,709,710
University System	2,096,176	2,279,975	5,349,425	5,818,477"

14. Page 12.

**Following:** line 24

**Insert:** "NEW SECTION. Section 8. Coordination instruction. If House Bill No. 360 is not passed and approved, then:

(1) [section 2] of [this act], amending 2-18-303, must read:

**"Section 2.** Section 2-18-303, MCA, is amended to read:

**"2-18-303. Procedures for using pay schedules.** (1) The pay ~~schedules~~ schedule provided in 2-18-312 must be implemented as follows:

(a) The pay ~~schedules~~ schedule provided in 2-18-312 ~~indicate~~ indicates the entry salary and market salary

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for each grade for positions classified under the provisions of part 2 of this chapter.

(b) Each employee newly hired by the state of Montana must be hired at the entry rate, except as provided in subsections (6) through (9).

(c) On the first day of the first complete pay period in fiscal year ~~2002~~ 2004, each employee is entitled to the amount of the employee's base salary as it was on June 30, ~~2001~~ 2003.

~~(d) Effective on the first day of the pay period that includes an employee's anniversary date during the fiscal years ending June 30, 2002, and June 30, 2003, the employee's base salary must be increased by 4% or by a lesser amount so that the employee's base salary after the increase does not exceed the maximum salary of the pay grade as provided in subsection (1)(f). An employee's base salary increases resulting from subsection (1)(c) and this subsection may not exceed a maximum of 4% in each fiscal year. For employees hired on or before September 30, 1994, the anniversary date is October 1.~~

~~(e)~~(d) An employee's base salary may be no less than the entry salary for the employee's assigned grade.

~~(f)~~(e) The maximum salary for each grade is determined by subtracting the entry salary from the market salary and adding that amount to the market salary.

(2) The pay ~~schedules~~ schedule provided in 2-18-312 and the provisions of subsection (1) of this section do not apply to those teachers or blue-collar occupations compensated under the pay schedules provided in 2-18-313 and 2-18-315.

(3) The pay schedules provided in 2-18-313 and 2-18-315 must be implemented as follows:

(a) (i) The pay ~~schedules~~ schedule provided for in 2-18-313 ~~indicate~~ indicates the annual compensation for teachers employed under the authority of the department of corrections or the department of public health and human services for fiscal years ~~2002~~ 2004 and ~~2003~~ 2005.

(ii) The compensation of each teacher on July 1, ~~2001~~ 2003, is the same as it was on June 30, ~~2001~~ 2003.

~~(iii) On the first day of the first pay period that includes October 1 of each fiscal year, a teacher employed under the authority of the department of public health and human services or the department of corrections before October 1, 1994, shall advance one step on the appropriate pay schedule adopted in 2-18-313. A teacher hired after October 1, 1994, shall advance on the teacher's actual anniversary date.~~

(b) The pay ~~schedules~~ schedule provided in 2-18-315 ~~indicate~~ indicates the maximum hourly compensation for fiscal years ending June 30, ~~2002~~ 2004, and June 30, ~~2003~~ 2005, for employees in apprentice trades and crafts and other blue-collar occupations recognized in the state blue-collar classification plan who are members of units that have collectively bargained separate classification and pay plans.

(c) The compensation of each employee on the first day of the first pay period in each fiscal year is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(4) (a) (i) ~~A~~ If the legislature authorizes a pay increase for state employees, a member of a bargaining unit may not receive a pay increase until the employer's collective bargaining representative receives written notice that the employee's bargaining unit has ratified a completely integrated collective bargaining agreement covering the biennium ending June 30, 2003.

(ii) If ratification of a completely integrated collective bargaining agreement, as required by subsection (4)(a)(i), is not completed by ~~July 1, 2001~~ the date on which a legislatively authorized pay increase is implemented, retroactivity to that date may be negotiated.

(iii) If ratification of a completely integrated collective bargaining agreement, as required by subsection (4)(a)(i), is not completed by ~~July 1, 2001~~ the date on which a legislatively authorized pay increase is implemented, members of the bargaining unit must continue to receive the compensation that they were receiving ~~as of June 30, 2001~~, until an agreement is ratified.

(b) Methods of administration not inconsistent with the purpose of this part and necessary to properly implement the pay schedules and adjustments provided in 2-18-312, 2-18-313, 2-18-315, and this section may be provided for in collective bargaining agreements.

(5) The current wage or salary of an employee may not be reduced by the implementation of the pay schedules provided for in 2-18-312, 2-18-313, and 2-18-315.

(6) The department may authorize a separate pay schedule for classes of medical professionals if the rates

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provided in 2-18-312 are not sufficient to attract and retain fully licensed and qualified professionals.

(7) (a) The department may develop and implement an alternative pay and classification plan for certain classes, occupations, and work units. Pay for employees in the alternative pay and classification plan may be established and changed based on demonstrated competencies and accomplishments, on the labor market, and on other situations defined by the department.

(b) To the extent that the plan applies to employees within a collective bargaining unit, the implementation of the plan is a negotiable subject under 39-31-305.

(8) The department may develop programs that enable the department to mitigate problems associated with difficult recruitment, retention, transfer, or other exceptional circumstances. To the extent that the program applies to employees within a collective bargaining unit, it is a negotiable subject under 39-31-305.

(9) The department shall review the competitiveness of the compensation provided to all occupations under this part. If the department finds that substantial problems exist with recruitment and retention because of inadequate salaries when compared to competing employers, the department may establish criteria allowing an adjustment in pay or classification to mitigate the problems. To the extent that these adjustments apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305."

(2) [section 4] of [this act], amending 2-18-313, must read:

"**Section 4.** Section 2-18-313, MCA, is amended to read:

**"2-18-313. Teachers' pay schedules schedule.** (†) The pay schedule for teachers for the period ~~that includes October 1, 2001, until beginning~~ the first day of the first full pay period ~~that includes October 1, 2002, in fiscal year 2004~~ is as follows:

Annual Hours -- 2080 Note: Does Not Include Insurance  
Term -- Twelve Months Matrix Type -- Annual Education Level

STEP	BA	BA+15	BA+30	BA+45	BA+60	BA+75
1	26,085	26,867	27,673	28,503	29,359	30,239
2	26,867	27,673	28,503	29,358	30,239	31,147
3	27,673	28,503	29,358	30,239	31,147	32,082
4	28,503	29,358	30,239	31,147	32,082	33,044
5	29,358	30,239	31,147	32,082	33,044	34,035
6	30,239	31,147	32,082	33,044	34,035	35,056
7	31,147	32,082	33,044	34,035	35,056	36,108
8	32,082	33,044	34,035	35,056	36,108	37,191
9	33,044	34,035	35,056	36,108	37,191	38,307
10	34,035	35,056	36,108	37,191	38,307	39,457
11	35,056	36,108	37,191	38,307	39,457	40,640
12	36,108	37,191	38,307	39,457	40,640	41,858
13	37,191	38,307	39,457	40,640	41,858	43,114

(2) Effective on the first day of the pay period that includes October 1, 2002, the pay schedule for teachers is as follows:

Annual Hours -- 2080 Note: Does Not Include Insurance  
Term -- Twelve Months Matrix Type -- Annual Education Level

STEP	BA	BA+15	BA+30	BA+45	BA+60	BA+75
1	27,129	27,942	28,780	29,643	30,532	31,449
2	27,942	28,780	29,643	30,532	31,449	32,393
3	28,780	29,643	30,532	31,449	32,393	33,365
4	29,643	30,532	31,449	32,393	33,365	34,366

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5	30,532	31,449	32,393	33,365	34,366	35,396
6	31,449	32,393	33,365	34,366	35,396	36,459
7	32,393	33,365	34,366	35,396	36,459	37,552
8	33,365	34,366	35,396	36,459	37,552	38,679
9	34,366	35,396	36,459	37,552	38,679	39,840
10	35,396	36,459	37,552	38,679	39,840	41,035
11	36,459	37,552	38,679	39,840	41,035	42,266
12	37,552	38,679	39,840	41,035	42,266	43,532
13	38,679	39,840	41,035	42,266	43,532	44,839"

(3) [section 5] of [this act], amending 2-18-315, must read:

**"Section 5.** Section 2-18-315, MCA, is amended to read:

**"2-18-315. Blue-collar pay schedules schedule.** (†) The pay schedule for blue-collar workers for the period ~~from July 1, 2001, until beginning~~ the first day of the first full pay period ~~that includes October 2001~~ in fiscal year 2004 is as follows:

~~Annual Hours -- 2080~~Note: Does Not Include Insurance

~~Pay Matrix -- Blue-Collar~~Matrix Type -- Hourly

Grade	\$/Hour
B1	11.275
B2	11.675
B3	12.075
B4	12.475
B5	12.875
B6	13.275
B7	13.675
B8	14.075
B9	14.475
B10	14.875
B11	15.275
B12	15.675
B13	16.075
B14	16.475

(2) Effective on the first day of the pay period that includes October 1, 2001, until the first day of the pay period that includes October 2002, the pay schedule for blue-collar workers is as follows:

~~Annual Hours -- 2080~~Note: Does Not Include Insurance

~~Pay Matrix -- Blue-Collar~~Matrix Type -- Hourly

Grade	\$/Hour
B1	11.835
B2	12.235
B3	12.635
B4	13.035
B5	13.435
B6	13.835
B7	14.235
B8	14.635
B9	15.035
B10	15.435
B11	15.835
B12	16.235

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~~———— B13 ———— 16.635~~  
~~———— B14 ———— 17.035~~

(3) ~~Effective on the first day of the pay period that includes October 1, 2002, the pay schedule for blue-collar workers is as follows:~~

Annual Hours -- 2080                      Note: Does Not Include Insurance  
Pay Matrix -- Blue-Collar                      Matrix Type -- Hourly

Grade	\$/Hour
B1	12.395
B2	12.795
B3	13.195
B4	13.595
B5	13.995
B6	14.395
B7	14.795
B8	15.195
B9	15.595
B10	15.995
B11	16.395
B12	16.795
B13	17.195
B14	17.595""

(4) [section 7] of [this act], providing an appropriation, must read:

**Insert:** "NEW SECTION. Section 7. Appropriation. (1) The following money for the indicated fiscal years is appropriated to the listed agencies to implement the adjustments provided for in [section 6]:

	Fiscal Year 2004		Fiscal Year 2005		Other Funds
	General Fund		Other Funds	General Fund	
Legislative Branch	24,969		6,399	81,583	20,908
Consumer Counsel			1,277		4,006
Judicial Branch	85,726		12,247	268,867	38,410
Executive Branch	1,042,381		1,926,519	3,263,472	6,015,663
University System	1,087,384		1,182,729	2,323,048	2,526,739

(2) The following money is appropriated for the biennium to the office of budget and program planning to be distributed to agencies when personnel vacancies do not occur, retirement costs exceed agency resources, or other contingencies arise:

	Fiscal Year 2004 General Fund	Other Funds
Personal Services Contingency	1,500,000	3,000,000"

**Renumber:** subsequent section

And, as amended, do pass. Report adopted.

**HB 360**, introduced bill, be amended as follows:

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1. Title, page 1, lines 10 and 11.

**Strike:** "PROVIDING" on line 10 through "FUND" on line 11

**Insert:** "REQUIRING CERTAIN FUNDS TO BE TRANSFERRED INTO THE TRUST FUND; PROVIDING A STATUTORY APPROPRIATION"

2. Title, page 1, line 12.

**Strike:** the first "AND"

**Insert:** ", 17-2-107,"

**Following:** "17-7-139,"

**Insert:** "AND 17-7-502,"

3. Page 1, line 18.

**Strike:** "578"

**Insert:** "963"

4. Page 1, line 20.

**Strike:** "578"

**Insert:** "963"

5. Page 1, line 24.

**Strike:** "\$34,913,627"

**Insert:** "\$46,876,995"

**Strike:** "\$31,894,609"

**Insert:** "\$42,200,000"

6. Page 1, line 25.

**Strike:** "\$3,019,018"

**Insert:** "\$4,700,000"

7. Page 1.

**Following:** line 25

**Insert:** "WHEREAS, savings of \$42,000,000 in each subsequent biennium is projected; and"

8. Page 1, line 26.

**Strike:** "a one-time appropriation of \$13,825,146"

**Insert:** "transfers totaling \$31,600,000"

**Strike:** "and"

**Following:** "payments"

**Insert:** "of \$26,100,000 and payments of \$5,500,000"

9. Page 1, line 28.

**Strike:** "2 1/2"

**Insert:** "1.8"

**Following:** "incentive"

**Insert:** "this biennium"

10. Page 2, lines 2 and 5.

**Strike:** "7"

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**Insert:** "8"

11. Page 2, line 7.

**Strike:** "has the meaning provided in 2-18-101"

**Insert:** "means a department, board, commission, office, bureau, institution, or unit of state government recognized in the state budget"

12. Page 2, line 10.

**Following:** "year"

**Insert:** ", not including an elected official, as defined in 5-7-102"

13. Page 2, lines 23 and 27.

**Strike:** "5%"

**Insert:** "3%"

14. Page 3.

**Following:** line 8

**Insert:** "(4) A payment received by an employee pursuant to this section is not and may not be interpreted to be:

(a) termination pay, as the term is defined in 19-20-101 and used in the teachers' retirement system provisions contained in 19-20-716; or

(b) compensation for the purposes of any retirement system or plan contained in Title 19."

15. Page 3, lines 12, 17, and 22.

**Strike:** "7"

**Insert:** "8"

16. Page 3, line 25.

**Following:** "--"

**Insert:** "statutory appropriation --"

**Strike:** "the coal"

17. Page 3, line 26.

**Strike:** "severance tax permanent"

**Insert:** "general"

18. Page 3, line 29.

**Strike:** "(4)"

**Insert:** "(5)"

19. Page 4.

**Following:** line 1

**Insert:** "(4) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department of administration."

**Renumber:** subsequent subsection

20. Page 4, line 2.

**Strike:** "7"

**Insert:** "8"

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21. Page 4, line 3.

**Strike:** "coal" through "17-5-703"

**Insert:** "general fund"

22. Page 4, line 6.

**Strike:** "7"

**Insert:** "8"

23. Page 4.

**Following:** line 6

**Insert:** "NEW SECTION. Section 8. Funding of employee termination incentive -- fund transfers -- interentity loans. (1) For each employee who voluntarily terminates employment pursuant to [sections 1 through 8], each agency shall determine the cost of the payments to be provided to the employee pursuant to [sections 3 and 4].

(2) (a) For each employee who voluntarily terminates employment under [sections 1 through 8] and who is compensated in whole or in part from nongeneral fund money or nonfederal fund money, the agency shall, at the time of the employee's termination, transfer to the account established in [section 6] an amount equal to the proportionate share of the cost of providing the payments pursuant to [sections 1 through 8] for that employee. The proportionate share must be calculated based on the nongeneral and nonfederal funds used to compensate the employee during the 2002 fiscal year.

(b) If an agency, in consultation with the approving authority, determines that it does not have sufficient funds to complete the transfer required in subsection (2)(a) at the time of the employee's termination or that the transfer would limit the agency's ability to meet matching fund requirements, the approving authority may approve a payment schedule for the agency to transfer the funds, plus 3% interest on the funds compounded annually, over a period of time not exceeding 5 years from the original date of the transfer required under subsection (2)(a).

(3) For each employee who voluntarily terminates employment under [sections 1 through 8], each agency shall determine the share of federal funds associated with the cost of the payments that must be made to the employee pursuant to [sections 1 through 8] and shall provide this information to the department of administration for inclusion in the statewide cost allocation plan provided for in 17-3-110. Any federal funds received by the agency as reimbursements for costs incurred pursuant to [sections 1 through 8] must be deposited in the general fund, as provided in 17-3-111(2), then transferred by the agency to the account established in [section 6].

(4) On August 1, 2003, the budget director, appointed pursuant to 17-7-103, shall transfer from the general fund to the account established in [section 6] \$18,268,000.

(5) The department may provide interentity loans pursuant to 17-2-107 to the account established in [section 6] if the loans are necessary to meet cashflow demands pursuant to obligations incurred under [sections 1 through 8]. The time period over which the loans must be repaid may be extended, as provided in 17-2-107(3), for additional 1-year periods, up to a total of 5 years."

**Renumber:** subsequent sections

24. Page 6, line 20.

**Strike:** "7"

**Insert:** "8"

25. Page 6.

**Following:** line 24

**Insert:** "**Section 10.** Section 17-2-107, MCA, is amended to read:

**"17-2-107. Accurate accounting records and interentity loans.** (1) The department shall record receipts and disbursements for treasury funds and for accounting entities within treasury funds and shall maintain records in a manner that reflects the total cash and invested balance of each fund and each accounting entity. The department shall adopt the necessary procedures to ensure that interdepartmental or intradepartmental transfers of money or loans

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do not result in inflation of figures reflecting total governmental costs and revenue.

(2) (a) Subject to 17-2-105, when the expenditure of an appropriation from a fund designated in 17-2-102(1) through (3) is necessary and the cash balance in the accounting entity from which the appropriation was made is insufficient, the department may authorize a temporary loan, bearing no interest, of unrestricted money from other accounting entities if there is reasonable evidence that the income will be sufficient to repay the loan within 1 calendar year and if the loan is recorded in the state accounting records. An accounting entity receiving a loan or an accounting entity from which a loan is made may not be so impaired that all proper demands on the accounting entity cannot be met even if the loan is extended.

(b) (i) When an expenditure from a fund or subfund designated in 17-2-102(4) is necessary and the cash balance in the fund or subfund from which the expenditure is to be made is insufficient, the commissioner of higher education may authorize a temporary loan, bearing interest as provided in subsection (4) of this section, of money from the agency's other funds or subfunds if there is reasonable evidence that the income will be sufficient to repay the loan within 1 calendar year and if the loan is recorded in the state accounting records. A fund or subfund receiving a loan or from which a loan is made may not be so impaired that all proper demands on the fund or subfund cannot be met even if the loan is extended.

(ii) One accounting entity within each fund or subfund designated in 17-2-102(4) must be established for the sole purpose of recording loans between the funds or subfunds. This accounting entity is the only accounting entity within each fund or subfund that may receive a loan or from which a loan may be made.

(c) A loan made under subsection (2)(a) or (2)(b) must be repaid within 1 calendar year of the date on which the loan is approved unless it is extended under subsection (3) or by specific legislative authorization.

(3) Under unusual circumstances, the director of the department or the board of regents may grant one extension for up to 1 year, except as provided in [section 8(5)], for a loan made under subsection (2)(a) or (2)(b). The director or board shall prepare a written justification and proposed repayment plan for each loan extension authorized and shall furnish a copy of the written justification and proposed repayment plan to the house appropriations and senate finance and claims committees at the next legislative session.

(4) Any loan from the current unrestricted subfund to funds designated in 17-2-102(4)(a)(iv) and (4)(b) through (4)(f) must bear interest at a rate equivalent to the previous fiscal year's average rate of return on the board of investments' short-term investment pool.

(5) If for 2 consecutive fiscal yearends a loan or an extension of a loan has been authorized to the same accounting entity as provided in subsection (2) or (3), the department or the commissioner of higher education shall submit to the legislative finance committee by September 1 of the following fiscal year a written report containing an explanation as to why the second loan or extension was made, an analysis of the solvency of the accounting entity or accounting entities within the university fund or subfund, and a plan for repaying the loans.

(6) If for 2 consecutive fiscal yearends an accounting entity in a fund or subfund designated in 17-2-102(4) has a negative cash balance, the commissioner of higher education shall submit to the legislative finance committee by September 1 of the following fiscal year a written report containing an explanation as to why the accounting entity has a negative cash balance, an analysis of the solvency of the accounting entity, and a plan to address any problems concerning the accounting entity's negative cash balance or solvency.

(7) (a) An accounting entity in a fund designated in 17-2-102(1) through (3) may not have a negative cash balance at fiscal yearend. The department may, however, allow a fund type within each agency to carry a negative balance at any point during the fiscal year if the negative cash balance does not exist for more than 7 working days.

(b) (i) Except as provided in subsection (7)(b)(ii) of this section, a unit of the university system shall maintain a positive cash balance in the funds and subfunds designated in 17-2-102(4).

(ii) If a fund or subfund inadvertently has a negative cash balance, the department may allow the fund or subfund to carry the negative cash balance for no more than 7 working days. If the negative cash balance exists for more than 7 working days, a transaction may not be processed through the statewide accounting system for that fund or subfund.

(8) Notwithstanding the provisions of subsections (2) through (4), the department may authorize loans to accounting entities in the federal and state special revenue funds with long-term repayment whenever necessary

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because of the timing of the receipt of agreed-upon reimbursements from federal, private, or other governmental entity sources for disbursements made. If possible, the loans must be made from funds other than the general fund. The department may approve the loans if the requesting agency can demonstrate that the total loan balance does not exceed total receivables from federal, private, or other governmental entity sources and receivables have been billed on a timely basis. The loan must be repaid under terms and conditions that may be determined by the department or by specific legislative authorization.

(9) A loan may not be authorized under this section to any fund or accounting entity that is owed federal or other third-party funds unless the requesting agency certifies to the agency approving the loan that it has and will continue to bill the federal government or other third party for the requesting agency's share of costs incurred in the fund or accounting entity on the earliest date allowable under federal or other third-party regulations applicable to the program. The requesting agency shall recertify its timely billing status to the agency that approved the loan at least monthly during the term of the loan. If at any time the requesting agency fails to recertify the timely billing, the agency that approved the loan shall cancel the loan and return the money to its original source."

**Renumber:** subsequent sections

26. Page 7, line 26.

**Strike:** "7"

**Insert:** "8"

27. Page 7.

**Following:** line 29

**Insert:** "**Section 12.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-151; 2-17-105; [section 6]; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-35-108; 15-36-324; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-5-306; 23-5-409; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-3-1003; 90-6-710; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, the inclusion of 15-35-108 and 90-6-710 terminates June 30, 2005; pursuant to sec. 17, Ch. 414, L. 2001, the inclusion of 2-15-151 terminates December 31, 2006; and pursuant to sec. 2, Ch. 594, L. 2001, the inclusion of 17-3-241 becomes

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effective July 1, 2003.)"

**Renumber:** subsequent sections

28. Page 8, line 1 through line 6.

**Strike:** section 10 in its entirety

**Renumber:** subsequent sections

29. Page 8, line 10.

**Strike:** "\$31.8"

**Insert:** "\$42.2"

30. Page 8, line 13 through line 15.

**Strike:** section 12 in its entirety

**Renumber:** subsequent sections

31. Page 8, lines 17 and 19.

**Strike:** "7"

**Insert:** "8"

And, as amended, do pass. Report adopted.

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

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

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

**SB 14** - Representative Younkin moved **SB 14** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Balyeat, Sales.

Total 2

Voted Absentee: Lenhart, Matthews, Ryan, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**HB 120** - Representative R. Brown moved consideration of **HB 120** be passed for the day. Motion carried.

**HB 311 - Governor's Amendments** - Representative Stoker moved Governor's amendments to **HB 311** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Gibson, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 84

Noes: Balyeat, Bixby, Cyr, Dowell, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Juneau, Keane, Lindeen, Newman, Sales, Sinrud, Wanzenried.

Total 16

Voted Absentee: Lenhart, Matthews, Ryan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 492** - Representative Hedges moved **HB 492** do pass.

Representative Younkin moved for cloture. Motion (requiring 3/5 vote) **failed** as follows:

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Cyr, Devlin, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, B. Olson, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrumpf, Shockley, Steinbeisser, Stoker, Thomas, Wagman, Witt, Younkin, Mr. Speaker.

Total 62

Noes: Balyeat, Becker, Bixby, Buzzas, Carney, P. Clark, Cohenour, Dickenson, Dowell, Facey, Franklin, Galvin-Halcro, Gillan, Golie, Gutsche, Jacobson, Jent, Juneau, Kaufmann, Keane, Lindeen, Maedje, Parker, Pattison, Raser, Sales, Sinrud, Small-Eastman, Smith, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy.

Total 34

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Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: A. Olson.  
Total 1

Representative Sales moved for cloture. Motion (requiring 3/5 vote) **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Devlin, Erickson, Everett, Fisher, Fritz, Fuchs, Gallik, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Steinbeisser, Stoker, Wagman, Witt, Younkin, Mr. Speaker.  
Total 53

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Carney, P. Clark, Cohenour, Dickenson, Dowell, Facey, Forrester, Franklin, Gibson, Gillan, Gutsche, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Parker, Pattison, Raser, Sinrud, Small-Eastman, Smith, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 35

Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: E. Clark, Cyr, Gallus, Galvin-Halcro, Golie, Lake, Maedje, B. Olson, Thomas.  
Total 9

Motion that **HB 492** do pass **failed** as follows:

Ayes: Andersen, Becker, Bergren, Bitney, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Dickenson, Erickson, Facey, Fisher, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Hedges, Hurwitz, Jayne, Juneau, Kasten, Kaufmann, Lake, Lewis, Maedje, Musgrove, Noennig, B. Olson, Parker, Roberts, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wilson, Windy Boy.  
Total 48

Noes: Ballantyne, Balyeat, Barrett, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Cyr, Devlin, Dowell, Everett, Forrester, Gallik, Gillan, Haines, Hawk, Jackson, Jacobson, Jent, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, A. Olson, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ross, Ryan, Sales, Sinrud, Wagman, Wanzenried, Weiss, Witt, Younkin, Mr. Speaker.  
Total 52

Voted Absentee: Lenhart, Matthews, Ryan, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Everett, Fisher, Forrester, Fritz, Gallik, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 69

Noes: Balyeat, Becker, Branae, Buzzas, Carney, Dickenson, Erickson, Facey, Franklin, Fuchs, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Kaufmann, Lindeen, Maedje, Musgrove, Newman, Parker, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.

Total 27

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Thomas.

Total 1

**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 17**, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 86

Noes: Bixby, P. Clark, Dowell, Erickson, Franklin, Gallik, Galvin-Halcro, Juneau, Lindeen, Newman, Wanzenried.

Total 11

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

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**SB 27**, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 91

Noes: Gallus, Galvin-Halcro, Gutsche, Raser, Wanzenried, Wilson.

Total 6

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

**SB 38**, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 93

Noes: Franklin, Sales, Wanzenried, Witt.

Total 4

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

**HB 100** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Malcolm, McKenney, Morgan, Musgrove, Newman,

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Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 91

Noes: Bookout-Reinicke, R. Brown, Jayne, Maedje, Mendenhall, Witt.

Total 6

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

**HB 321, as amended by the Senate,** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Everett, Fisher, Forrester, Fuchs, Gallik, Gallus, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 83

Noes: Becker, Buzzas, Dowell, Facey, Franklin, Fritz, Galvin-Halcro, Gibson, Gillan, Gutsche, Lindeen, Parker, Wanzenried, Wilson.

Total 14

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

**HJR 34** adopted as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 55

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 42

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Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: None.  
Total 0

**SB 5** (requiring a 2/3 vote) **failed** as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 54

Noes: Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laszloffy, Newman, Parker, Raser, Sales, Shockley, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 43

Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: None.  
Total 0

**SB 10** concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 94

Noes: Franklin, Wanzenried, Wilson.  
Total 3

Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: None.  
Total 0

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**SB 40** concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Balyeat, P. Clark, Gutsche, Harris, Jayne, Sales, Wanzenried, Wilson, Windy Boy.

Total 9

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

**SB 47** concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ross, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 85

Noes: Balyeat, Everett, Franklin, Fritz, Gillan, Golie, Jayne, Roberts, Sales, Sinrud, Wanzenried, Wilson.

Total 12

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: None.

Total 0

**SB 51** concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan,

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Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Balyeat, D. Brown, Fisher, Laszloffy, Pattison, Sales, Wagman, Waitschies.

Total 8

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Hurwitz.

Total 1

**MOTIONS**

Representative Jent moved **SB 363** be taken from the Committee on Business and Labor and be rereferred to the Committee on Judiciary. There being no objection, so ordered.

Representative R. Brown moved **SB 431** be taken from the Committee on Fish, Wildlife, and Parks and be rereferred to the Committee on Business and Labor. There being no objection, so ordered.

Representative R. Brown moved **HB 13** be taken from the Committee on State Administration and be rereferred to the Committee on Appropriations. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 54

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 42

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Gillan.

Total 1

Representative R. Brown moved **HB 360** be taken from the Committee on State Administration and be rereferred to the Committee on Appropriations. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman,

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Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 43

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Bookout-Reinicke.

Total 1

Representative R. Brown moved **SB 456** be taken from the Committee on Natural Resources and be rereferred to the Committee on Federal Relations, Energy, and Telecommunications. Motion (requiring a 3/5 vote) **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 51

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Maedje, Musgrove, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 45

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Bookout-Reinicke.

Total 1

Representative Pattison moved to **suspend the rules** for the late request and introduction of a joint resolution urging the United States Supreme Court to overturn the 9th Circuit Court of Appeals decision prohibiting the use of the phrase "under God" in the Pledge of Allegiance. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Everett, Fisher, Forrester, Fuchs, Gallus, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas,

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Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.  
Total 64

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Parker, Raser, Wanzenried, Wilson, Windy Boy.  
Total 30

Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: Bergren, Devlin, Noennig.  
Total 3

Representative R. Brown moved **SB 400** be taken from the Committee on Business and Labor and be rereferred to the Committee on Judiciary. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Branae, D. Brown, R. Brown, Brueggeman, E. Clark, Cohenour, Cyr, Erickson, Everett, Fisher, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 70

Noes: Ballantyne, Bixby, Buzzas, Callahan, Carney, P. Clark, Dickenson, Dowell, Facey, Forrester, Franklin, Fritz, Golie, Jacobson, Jayne, Juneau, Keane, Lindeen, Raser, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 24

Excused: Lenhart, Matthews, Ryan.  
Total 3

Absent or not voting: Bergren, Bookout-Reinicke, Devlin.  
Total 3

Representative Gallik moved **HB 461** be taken from the Committee on State Administration and be rereferred to the Committee on Appropriations. Motion **failed** as follows:

Ayes: Ballantyne, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hedges, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 43

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

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Total 53

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Bergren.

Total 1

Representative Younkin moved to reconsider action on **SB 5** third reading this day. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 52

Noes: Balyeat, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 44

Excused: Lenhart, Matthews, Ryan.

Total 3

Absent or not voting: Bergren.

Total 1

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Wednesday, March 12, 2003. Motion carried.

House adjourned at 3:25 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House