

**HOUSE JOURNAL
58TH LEGISLATURE
NINTH LEGISLATIVE DAY**

Helena, Montana
January 16, 2003

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

COMMUNICATIONS AND PETITIONS

Speaker Mood appointed the following representative to the Montana Heritage Preservation and Development Commission:

Representative Diane Rice

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 1/16/2003
Correctly printed: **HB 31, HB 43, HB 59, HB 69, HB 83, HB 89, HB 102, HB 104, HB 108, HB 162, HB 165.**
Correctly engrossed: **HB 25, HB 29, HB 48, HB 58, HB 62, HB 70, HB 84, HB 106, HB 128, HB 132, HB 159, HB 169, HB 183, HB 230.**

APPROPRIATIONS (Lewis, Chairman): 1/16/2003
HB 1, introduced bill, be amended as follows:

1. Title, line 6.

Following: "LEGISLATURE;" on line 6

Insert: "AMENDING SECTION 1, CHAPTER 1, LAWS OF 2001;"

2. Page 1, line 14.

Strike: "\$2,280,881"

Insert: "\$2,130,881"

3. Page 1, line 15.

Strike: "3,699,035"

Insert: "3,449,035"

4. Page 1, line 16.

Strike: "719,510"

Insert: "654,510"

5. Page 1.

Following: line 16

Insert: "**Section 2.** Section 1, Chapter 1, Laws of 2001, is amended to read:

"Section 1. Appropriations. (1) The following amounts are appropriated from the general fund for fiscal years 2001, 2002, and 2003 for the operation of the 57th legislature and costs of preparing for the 58th legislature:

LEGISLATIVE BRANCH (1104)

| | | |
|----------------|-------------|-------------|
| 1. Senate (25) | \$2,355,658 | \$2,205,658 |
|----------------|-------------|-------------|

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| | | |
|----------------------------------|----------------------|------------------|
| 2. House of Representatives (26) | 3,701,192 | <u>3,451,192</u> |
| 3. Legislative Services Division | | |
| Feed Bill (22) | 643,554 | <u>578,554</u> |

| | |
|------------------------------------------------------------|----------------------------------------------|
| <u>(2) The following amounts are appropriated from the</u> | <u>general fund for fiscal year 2003 for</u> |
| <u>the operation of the</u> | <u>58th legislature:</u> |
| <u>1. Senate (25)</u> | <u>\$150,000</u> |
| <u>2. House of Representatives (26)</u> | <u>250,000</u> |
| <u>3. Legislative Services Division</u> | |
| <u>Feed Bill (22)</u> | <u>65,000"</u> |

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 136, do pass. Report adopted.

BUSINESS AND LABOR (McKenney, Chairman):

1/15/2003

HB 110, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "LIMITING TO A MAXIMUM OF \$200 THE TOTAL"

Insert: "ELIMINATING THE"

2. Title, line 5.

Strike: "OR TO"

Insert: ", EXCEPT FOR"

3. Title, line 6.

Following: "DEPARTMENT"

Insert: ", "

4. Page 3, line 28 through page 4, line 2.

Strike: subsection (7)(a) in its entirety

Renumber: subsequent subsections

5. Page 4, line 3 through line 4.

Strike: "not" on line 3 through "\$200" on line 4

6. Page 4, line 6.

Strike: "subsections (7)(a) and (7)(b)"

Insert: "this subsection (7)"

7. Page 4, line 12 through line 13.

Strike: subsection (d) in its entirety

And, as amended, do pass. Report adopted.

HB 174, introduced bill, be amended as follows:

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1. Page 11, line 11 through line 12.

Strike: "subject" on line 11 through "rule." on line 12

Insert: "the following subjects:

- (a) the national electric code;
- (b) cost estimating for electrical installments;
- (c) procurement and handling of materials needed for electrical installations and repair;
- (d) reading blueprints for electrical work;
- (e) drafting and layout of electrical circuits; and
- (f) knowledge of practical electrical theory."

2. Page 11, line 29 through line 30.

Strike: "subject" on line 29 through "rule." on line 30

Insert: "the following subjects:

- (a) the Ohm's law;
- (b) the national electric code; and
- (c) layout and practical installation of electrical circuits."

3. Page 12, line 10 through line 11.

Strike: "subject" on line 10 through "rule." on line 11

Insert: "the following subjects:

- (a) the Ohm's law;
- (b) the national electric code; and
- (c) layout and practical installation of electrical circuits."

4. Page 14, line 3 through line 4.

Strike: "as" on line 3 through "rule" on line 4

Insert: "and establishing by practical demonstration competence in the special skills required in the field of plumbing"

And, as amended, do pass. Report adopted.

EDUCATION (Andersen, Chairman):

1/16/2003

HB 23, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: ";

Strike: "AND"

Following: "MCA"

Insert: " ; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 21.

Following: line 20

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

And, as amended, do pass. Report adopted.

HB 60, do pass. Report adopted.

HB 78, introduced bill, be amended as follows:

1. Title, page 1, line 7.

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Following: "TRUSTEES;"
Strike: "AND"
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 6, line 9.

Following: line 8

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

And, as amended, do pass. Report adopted.

HB 107, introduced bill, be amended as follows:

1. Title, line 10.

Following: "LIST"

Insert: "OF SCHOOL DISTRICTS' ENROLLMENT AND"

2. Page 1, line 30.

Following: "appropriation"

Insert: "or grant funding specified for this purpose"

3. Page 2, line 15.

Following: "list"

Insert: "of school districts' enrollment and"

Following: "shortages"

Insert: "based on the demonstrated demand by Montana school districts for additional qualified teachers. This list must be used in assigning funding preferences as specified in [section 4(6)]"

4. Page 2, line 20.

Following: "by"

Insert: "one of the following"

5. Page 2, line 29.

Following: "assignment"

Insert: "as determined by the office of public instruction"

6. Page 3, line 2.

Following: "endorsement"

Insert: "in a critical teacher shortage area"

And, as amended, do pass. Report adopted.

HB 153, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: ";

Strike: "AND"

2. Title, page 1, line 8.

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Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2, line 11.

Following: line 10

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

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Balyeat, Chairman):
HB 101, introduced bill, be amended as follows:

1/15/2003

1. Title, line 5.

Following: "APPLY FOR"

Strike: "AND"

Insert: "OR"

2. Page 3, line 10.

Following: "apply for"

Strike: "and"

Insert: "or"

Following: "use"

Strike: "a"

Insert: "the following"

Following: "resident"

Insert: "licenses and permits"

3. Page 4, line 23.

Following: "carry"

Insert: "knowingly, as defined in 45-2-101,"

4. Page 4, line 28.

Following: second "permit"

Strike: ", knowing, as defined in 45-2-101,"

Following: "that"

Strike: "the"

5. Page 4, line 29.

Strike: "license or permit"

6. Page 5, line 10.

Following: "issued"

Strike: ", "

Following: "by"

Insert: "knowingly, as defined in 45-2-101,"

7. Page 5, line 11.

Following: "or permits"

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Strike: "knowing, as defined in 45-2-101."

Following: "that"

Strike: "the permits"

And, as amended, do pass. Report adopted.

HB 123, do pass. Report adopted.

HB 157, do pass. Report adopted.

JUDICIARY (Shockley, Chairman):

1/15/2003

HB 17, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "MAKING"

Insert: "ABUSE, SEXUAL ABUSE, AND NEGLECT OF AN OLDER PERSON OR A PERSON WITH A DEVELOPMENTAL DISABILITY A FELONY; MAKING"

2. Page 1, line 23.

Following: the first "of"

Insert: "or interest in"

3. Page 1, line 25.

Following: "possession of"

Insert: "or interest in"

4. Page 1, line 28.

Following: "possession of"

Insert: "or interest in"

5. Page 1, line 30.

Following: "use,"

Strike: "or"

Following: "benefit"

Strike: "of"

Insert: ", or possession of or interest in"

6. Page 2, line 25.

Strike: "Upon a first conviction, a person"

Insert: "An individual"

7. Page 2, line 27 through line 28.

Strike: "may be" on line 27 through "individual" on line 28

Insert: "is guilty of a crime and"

And, as amended, do pass. Report adopted.

HB 116, introduced bill, be amended as follows:

1. Title, page 1, line 6.

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Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 3, lines 3 and 4.

Strike: "upon" on line 3 through "fined" on line 4

Insert: "is subject to a civil penalty of"

3. Page 3, lines 4 and 5.

Strike: "or imprisoned" on line 4 through "both" on line 5

4. Page 3, line 16.

Insert: "NEW SECTION. **Section 4. Termination.** [This act] terminates December 31, 2006."

And, as amended, do pass. Report adopted.

HB 149, do pass. Report adopted.

HB 161, do pass. Report adopted.

TAXATION (Fuchs, Chairman):

1/16/2003

HB 88, do pass. Report adopted.

TRANSPORTATION (Waitschies, Chairman):

1/16/2003

HB 22, do pass. Report adopted.

HB 215, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/15/2003

SB 22, introduced by Nelson

SB 69, introduced by Nelson

Senate bills passed and transmitted to the House for concurrence:

1/14/2003

SB 26, introduced by Mangan

SB 42, introduced by Tropila

SB 43, introduced by Tropila

SB 102, introduced by McNutt

SB 107, introduced by Roush

Senate bills passed and transmitted to the House for concurrence:

1/13/2003

SB 3, introduced by Harrington

SB 13, introduced by Mahlum

SB 19, introduced by Grimes

SB 20, introduced by Grimes

SB 23, introduced by Butcher

SB 27, introduced by Johnson

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SB 38, introduced by Mahlum
SB 41, introduced by Tropila
SB 55, introduced by Keenan
SB 100, introduced by Grimes
SB 136, introduced by Butcher

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 338, introduced by Keane, Cohenour, Cyr, Laslovich, Musgrove, Newman, Wanzenried, Wilson, referred to Business and Labor.
HB 339, introduced by Pattison, Butcher, Hedges, Peterson, Ross, Smith, Tash, Waitschies, referred to Local Government.
HB 340, introduced by Andersen, referred to Human Services.
HB 341, introduced by Andersen, referred to Human Services.
HB 342, introduced by Jent, referred to Business and Labor.
HB 343, introduced by Sales, Fuchs, Lewis, Sinrud, Everett, referred to Business and Labor.
HB 344, introduced by Gallus, Bergren, Facey, Fuchs, Golie, Haines, Keane, Lawson, Parker, Rome, B. Ryan, F. Thomas, Weiss, referred to Natural Resources.
HB 345, introduced by R. Brown, referred to Taxation.
HB 346, introduced by Smith, Bohlinger, Buzzas, DePratu, Harris, Hedges, Lenhart, Pease, Roush, referred to Judiciary.
HB 347, introduced by Carney, referred to Business and Labor.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 10, introduced by Lawson, referred to Education.
HJR 11, introduced by Smith, Bixby, Bohlinger, Buzzas, Gallik, Hedges, Lenhart, Parker, Pease, Roberts, Roush, referred to Federal Relations, Energy, and Telecommunications.

**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 Lindeen in the chair.

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

HB 165 - Representative Lake moved **HB 165** do pass. Motion carried as follows:

Ayes: Andersen, Barrett, Becker, Bergren, Branae, D. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Erickson, Facey, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Haines, Hedges, Juneau, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lewis, Lindeen, Maedje, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Ryan, Schruppf, Smith, Steinbeisser, Wilson, Witt, Younkin, Mr. Speaker.
Total 55

Noes: Ballantyne, Balyeat, Bitney, Bixby, Bookout-Reinicke, R. Brown, Buzzas, Dickenson, Dowell, Everett, Fisher,

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Forrester, Franklin, Fritz, Gibson, Golie, Gutsche, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Laszloffy, Lenhart, Malcolm, Mendenhall, B. Olson, Parker, Pattison, Rome, Sales, Shockley, Sinrud, Small-Eastman, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 31 - Representative Waitschies moved **HB 31** do pass. 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Balyeat, Gallus, Kasten, Lewis.

Total 4

Excused: None.

Total 0

Absent or not voting: Bixby, Everett.

Total 2

HB 38 - Representative A. Olson moved **HB 38** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, 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, Hedges, Hurwitz, Jackson, Jacobson, 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, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Hawk, Jayne.

Total 2

Excused: None.

Total 0

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Absent or not voting: Bookout-Reinicke.
Total 1

HB 59 - Representative Erickson moved **HB 59** do pass. Motion carried 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, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, 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 96

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gillan, Lange, Laszloffy, Sales.
Total 4

HB 68 - Representative Kaufmann moved **HB 68** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Ripley, Rome, Ross, Ryan, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: Balyeat, R. Brown, Cyr, Everett, Fisher, Fuchs, Hawk, Lewis, Maedje, Newman, Raser, Rice, Roberts, Sales, Shockley.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 72 - Representative Mendenhall moved **HB 72** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown,

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R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Dickenson, Fritz, Gillan, Sales, Windy Boy.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 104 - Representative Bergren moved **HB 104** do pass. 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, Sales, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Balyeat, Shockley.

Total 2

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

HB 162 - Representative Callahan moved **HB 162** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt.

Total 73

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Noes: Barrett, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fuchs, Hurwitz, Jayne, Kasten, Lambert, Lange, Laszloffy, Lewis, Malcolm, B. Olson, Rice, Ripley, Roberts, Sales, Sinrud, Wagman, Younkin, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: Balyeat.

Total 1

HB 80 - Representative R. Brown moved to reconsider second reading action on **HB 80** for the purpose of rereferring the bill to the Committee on Appropriations. Motion carried 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, 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, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Raser.

Total 1

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lindeen moved the Committee of the Whole report be adopted. Report adopted 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, 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, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

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

HB 34 passed 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, 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, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Shockley.
Total 1

Excused: None.
Total 0

Absent or not voting: Everett, Malcolm, Pattison.
Total 3

HB 35 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Rome, Ross, Ryan, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 83

Noes: Balyeat, Becker, D. Brown, R. Brown, Everett, Harris, Hawk, Lake, Lehman, Malcolm, Morgan, Rice, Sales, Sinrud, Waitschies.
Total 15

Excused: None.
Total 0

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Absent or not voting: Ripley, Schrumpf.
Total 2

HB 37 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 79

Noes: Balyeat, Bergren, Buzzas, Carney, P. Clark, Cyr, Facey, Franklin, Galvin-Halcro, Gutsche, Jayne, Kaufmann, Laszloffy, Mendenhall, Newman, Raser, Sales, Schrumpf, Small-Eastman, Wanzenried.
Total 20

Excused: None.
Total 0

Absent or not voting: Hawk.
Total 1

HB 41 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, 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, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Balyeat, R. Brown.
Total 2

Excused: None.
Total 0

Absent or not voting: Morgan.
Total 1

HB 45 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson,

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Everett, Facey, Fisher, Forrester, Franklin, Fritz, 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, 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Balyeat, R. Brown, Fuchs, Laszloffy.

Total 4

Excused: None.

Total 0

Absent or not voting: Sales.

Total 1

HB 91 passed 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, 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, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 179 passed 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, 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, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

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Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 182 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: D. Brown, Buzzas, Carney, Erickson, Facey, Gutsche, Harris, Juneau, Malcolm, Raser, Wanzenried.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative R. Brown moved **HB 80** be taken from the Committee of the Whole and rereferred to the Committee on Transportation. Motion carried.

Representative R. Brown moved **HJR 8** be taken from the Committee on Federal Relations, Energy, and Telecommunications and be rereferred to the Committee on Education. There being no objection, so ordered.

Representative R. Brown moved **HB 186** be taken from the Committee on Judiciary and be rereferred to the Committee on Business and Labor. There being no objection, so ordered.

Representative Golie moved **HB 33** be taken from the table and placed on second reading for Legislative Day 12.

Motion requiring a 3/5 vote **failed** as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lewis, Lindeen, Malcolm, Musgrove, Newman, Parker, Pattison, Raser,

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Rome, Ryan, Shockley, Sinrud, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.
Total 59

Noes: Andersen, Balyeat, Barrett, Bitney, Devlin, Everett, Fisher, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Lawson, Lehman, Lenhart, Maedje, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Schrupf, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Mr. Speaker.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The Speaker asked the House to join him in singing Happy Birthday to Representative Edith Clark.

The Speaker appointed the following members to the House Ethics Committee:

Musgrove
McKenney
Gutsche
Lawson

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Friday, January 17, 2003. Motion carried.

House adjourned at 1:27 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House