

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

Helena, Montana  
January 17, 2003

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Juneau, Shockley, and Smith, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventh and eighth legislative days, find the same to be correct.

**COMMUNICATIONS AND PETITIONS**

Speaker Mood appointed the following representative to the Legislative Consumer Council:

Representative Gary Matthews

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 1/17/2003  
Correctly printed: **HB 22, HB 60, HB 88, HB 123, HB 136, HB 149, HB 157, HB 161, HB 215.**  
Correctly engrossed: **HB 1, HB 23, HB 78, HB 107, HB 153.**

**BUSINESS AND LABOR** (McKenney, Chairman): 1/16/2003  
**HB 98**, introduced bill, be amended as follows:

1. Title, page 1, line 13.

**Strike:** "EXAMINATION"

**Insert:** "SPECIFIC PERFORMANCE LEVELS"

2. Page 7, line 24.

**Strike:** "an examination"

**Insert:** "specified performance levels"

And, as amended, do pass. Report adopted.

**HB 296**, do pass. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Bitney, Chairman): 1/16/2003  
**HB 96**, do pass. Report adopted.

**JUDICIARY** (Shockley, Chairman): 1/16/2003  
**HB 15**, do pass. Report adopted.  
**HB 53**, do pass. Report adopted.  
**HB 77**, introduced bill, be amended as follows:

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

**Strike:** "AND WHO" on line 6 through "FELONY" on line 7

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2. Title, page 1, line 9 through line 10.

**Strike:** "AGAINST" on line 9 through "GUILTY" on line 10

3. Page 1, line 15.

**Strike:** "and who did not plead guilty to the felony"

4. Page 3, line 2 through line 3.

**Strike:** "the state" on line 2 through "crime" on line 3

**Insert:** "a"

**Following:** "laboratory" on line 3

**Insert:** "of the court's choice"

5. Page 3, line 9.

**Following:** "laboratory"

**Insert:** ", if located"

**Following:** "state"

**Insert:** ", "

6. Page 3, line 25.

**Strike:** subsection (12) in its entirety

**Renumber:** subsequent subsection

7. Page 4, line 2.

**Strike:** "against a person who did not plead guilty"

**Following:** "evidence for"

**Insert:** "a minimum of"

8. Page 4, line 3.

**Strike:** "imposition of sentence"

**Insert:** "conviction in the case becomes final"

9. Page 4, line 4.

**Strike:** "imposition of sentence"

**Insert:** "conviction in the case becomes final"

And, as amended, do pass. Report adopted.

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

1/16/2003

**HB 175**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/16/2003

**SB 14**, introduced by McCarthy

**SB 49**, introduced by Shea

**SB 51**, introduced by Bohlinger

**SB 84**, introduced by Cocchiarella

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**SB 87**, introduced by Hansen  
**SB 104**, introduced by Tester  
**SB 113**, introduced by Esp  
**SB 125**, introduced by Tester

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 348**, introduced by Wanzenried, Cyr, Laslovich, Tester, referred to State Administration.  
**HB 349**, introduced by Younkin, Laible, Newman, referred to Judiciary.  
**HB 350**, introduced by Cohenour, referred to Judiciary.  
**HB 351**, introduced by Lange, referred to Natural Resources.  
**HB 352**, introduced by Laszloffy, P. Clark, Lange, Mood, Wagman, referred to Fish, Wildlife and Parks.  
**HB 353**, introduced by Laszloffy, McGee, referred to State Administration.  
**HB 354**, introduced by Newman, referred to Business and Labor.  
**HB 355**, introduced by Newman, Cyr, referred to Taxation.  
**HB 356**, introduced by Harris, referred to Federal Relations, Energy, and Telecommunications.  
**HB 357**, introduced by Harris, referred to Local Government.  
**HB 358**, introduced by Lange, Laszloffy, Noennig, referred to Judiciary.  
**HB 359**, introduced by Galvin-Halcro, Bookout-Reinicke, Gillan, Lawson, Wilson, referred to Business and Labor.  
**HB 360**, introduced by Lewis, referred to State Administration.  
**HB 361**, introduced by Witt, Bergren, Hedges, Kasten, Musgrove, Pattison, Tropila, Waitschies, Tester, referred to Natural Resources.

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

**HJR 12**, introduced by Fuchs, Balyeat, Bookout-Reinicke, Everett, Fisher, Gallus, Gillan, Haines, Hawk, Hedges, Jackson, Jacobson, Lambert, Lange, Maedje, Matthews, Mendenhall, Mood, Morgan, A. Olson, Parker, Peterson, Rice, Ross, B. Ryan, Sales, Schrupf, Steinbeisser, Stoker, B. Thomas, Wagman, Witt., referred to Federal Relations, Energy, and Telecommunications.

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

House recessed at 1:10 p.m.

House reconvened at 1:30 p.m. All members present, except Representatives Juneau, Shockley, and Smith, excused. Quorum present.

Sergeant-at-Arms Clark introduced Thomas Jefferson (Bob Doerk) and the Lewis & Clark Honor Guard. The Honor Guard posted the colors. Thomas Jefferson led the House in the Pledge of Allegiance to the Flag and then delivered his speech.

**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 Laslovich in the chair.

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

**HB 1** - Representative Lewis moved **HB 1** do pass.

Representative Harris moved **HB 1**, second reading copy, be amended as follows:

1. Page 1, line 15.

**Strike:** "\$2,130,881"

**Insert:** "\$2,062,881"

2. Page 1, line 16.

**Strike:** "3,449,035"

**Insert:** "3,339,035"

3. Page 1, line 17.

**Strike:** "654,510"

**Insert:** "632,510"

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Facey, Fisher, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 90

Noes: Brueggeman, Erickson, Forrester, Fuchs, Hawk, Wagman.

Total 6

Excused: Juneau, Shockley, Smith.

Total 3

Absent or not voting: Everett.

Total 1

Motion that **HB 1**, as amended, do pass carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, 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, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried,

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Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 93

Noes: Bixby, Dowell, Erickson, Juneau, Keane, Smith, Wagman.  
Total 7

Voted Absentee: Shockley, Aye; Juneau, Smith, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 29** - Representative A. Olson moved **HB 29** 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, 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 99

Noes: None.  
Total 0

Voted Absentee: Juneau, Shockley, Smith, Ayes.

Excused: None.  
Total 0

Absent or not voting: Carney.  
Total 1

**HB 43** - Representative Cohenour moved **HB 43** 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, 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

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Noes: None.  
Total 0

Voted Absentee: Juneau, Shockley, Smith, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 48** - Representative Newman moved **HB 48** 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, 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, 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 99

Noes: Malcolm.  
Total 1

Voted Absentee: Juneau, Shockley, Smith, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 58** - Representative Erickson moved **HB 58** 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, 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

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Voted Absentee: Juneau, Shockley, Smith, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Smith present at this time.

**HB 62** - Representative Lehman moved **HB 62** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, 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 97

Noes: Balyeat.

Total 1

Voted Absentee: Juneau, Shockley, Ayes.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Brueggeman.

Total 2

**HB 67** - Representative Kaufmann moved **HB 67** 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Juneau, Kaufmann, Keane, 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, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 86

Noes: Balyeat, R. Brown, Fritz, Fuchs, Gillan, Jackson, Jayne, Jent, Kasten, Lake, Laszloffy, Rice, Ryan, Sales.

Total 14

Voted Absentee: Juneau, Shockley, Ayes.

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 69** - Representative Smith moved **HB 69** 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, 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, Younkin, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Voted Absentee: Juneau, Shockley, Ayes.

Excused: None.  
Total 0

Absent or not voting: Witt.  
Total 1

**HB 70** - Representative Parker moved **HB 70** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, 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, 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 98

Noes: Bitney, Fuchs.  
Total 2

Voted Absentee: Juneau, Shockley, Ayes.

Excused: None.  
Total 0



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Absent or not voting: None.  
Total 0

**HB 106** - Representative Erickson moved **HB 106** 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, 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

Voted Absentee: Juneau, Shockley, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Laslovich 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, 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, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 92

Noes: None.  
Total 0

Excused: Juneau, Shockley.  
Total 2

Absent or not voting: Dickenson, Franklin, Lake, Lewis, B. Olson, Wilson.  
Total 6

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**MOTIONS**

Representative R. Brown moved that the rules be suspended to allow **HB 1** be placed on third reading. Motion carried.

**THIRD READING OF BILLS**

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

**HB 31** passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, 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, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.

Total 90

Noes: Balyeat, Buzzas, Jayne, Kasten, Laszloffy, Sales, Mr. Speaker.

Total 7

Excused: Juneau, Shockley.

Total 2

Absent or not voting: Forrester.

Total 1

**HB 38** 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Juneau, Shockley.

Total 2

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Absent or not voting: Forrester.  
Total 1

**HB 59** 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, 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, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, 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: Juneau, Shockley.  
Total 2

Absent or not voting: Forrester, Malcolm.  
Total 2

**HB 68** passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 86

Noes: Balyeat, R. Brown, Cyr, Fuchs, Hawk, Lewis, Maedje, Newman, Rice, Sales.  
Total 10

Excused: Juneau, Shockley.  
Total 2

Absent or not voting: Bitney, Forrester.  
Total 2

**HB 72** 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,

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Dowell, Erickson, Everett, Facey, Fisher, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 97

Noes: None.  
Total 0

Excused: Juneau, Shockley.  
Total 2

Absent or not voting: Forrester.  
Total 1

**HB 104** passed 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 96

Noes: Balyeat.  
Total 1

Excused: Juneau, Shockley.  
Total 2

Absent or not voting: Forrester.  
Total 1

**HB 162** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kaufmann, Keane, Lake, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Peterson, Raser, Roberts, Rome, Ryan, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Mr. Speaker.  
Total 69

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Noes: Barrett, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Everett, Fuchs, Gallus, Jayne, Kasten, Lambert, Lange, Laszloffy, Lewis, Malcolm, B. Olson, Pattison, Rice, Ripley, Ross, Sales, Schrupf, Sinrud, Wagman, Younkin.

Total 28

Excused: Juneau, Shockley.

Total 2

Absent or not voting: Forrester.

Total 1

**HB 165** passed as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Facey, Fisher, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Keane, Lake, Laslovich, Lawson, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, Peterson, Ripley, Ross, Ryan, Smith, Steinbeisser, Wanzenried, Younkin, Mr. Speaker.

Total 51

Noes: Andersen, Balyeat, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, P. Clark, Dickenson, Everett, Franklin, Fritz, Golie, Hawk, Jackson, Jayne, Jent, Kasten, Kaufmann, Lambert, Lange, Laszloffy, Lindeen, Malcolm, Mendenhall, B. Olson, Parker, Pattison, Raser, Rice, Roberts, Rome, Sales, Schrupf, Sinrud, Small-Eastman, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt.

Total 46

Excused: Juneau, Shockley.

Total 2

Absent or not voting: Forrester.

Total 1

**HB 1** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Franklin, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, 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, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 89

Noes: Bergren, Bixby, Dowell, Erickson, Fritz, Jent, Smith, Wagman.

Total 8

Excused: Juneau, Shockley.

Total 2

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Absent or not voting: Forrester.  
Total 1

**SPECIAL ORDERS OF THE DAY**

The Speaker asked the House to join him in singing Happy Birthday to Representative Larry Lehman.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Monday, January 20, 2003. Motion carried.

House adjourned at 2:53 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House