

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

Helena, Montana
January 29, 2003

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Buzzas and Franklin, excused. Quorum present.

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

Bookout-Reinicke, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 1/29/2003
Correctly printed: **HB 30, HB 71, HB 80, HB 87, HB 114, HB 143, HB 155, HB 250, HB 259, HB 280, HB 366.**
Correctly engrossed: **HB 218, HB 237, HB 287, HB 381.**

BUSINESS AND LABOR (McKenney, Chairman): 1/28/2003
HB 363, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Bitney, Chairman): 1/29/2003
HB 266, do pass. Report adopted.
HJR 11, be adopted. Report adopted.

HUMAN SERVICES (Thomas, Chairman): 1/28/2003
HB 340, do pass. Report adopted.

JUDICIARY (Shockley, Chairman): 1/28/2003
HB 14, introduced bill, be amended as follows:

1. Page 2, line 11 through line 12.

Strike: "a jury" on line 11 through "court" on line 12

Insert: "only one jury trial in a misdemeanor case"

2. Page 2, line 13 through line 14.

Strike: "a jury" on line 13 through the second "court" on line 14

Insert: "only one jury trial in a misdemeanor case"

And, as amended, do pass. Report adopted.

HB 195, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

Strike: "THE SECOND" on line 5 through "OF" on line 6

2. Page 6, line 15.

Strike: "\$100"

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Insert: "\$300"

3. Page 6, line 16.

Strike: "\$500"

Insert: "\$1,000"

4. Page 6, line 22.

Strike: "\$300"

Insert: "\$600"

5. Page 6, line 23.

Strike: "\$500"

Insert: "\$1,000"

6. Page 7, line 1.

Strike: "\$500"

Insert: "\$1,000"

Strike: "\$1,000"

Insert: "\$5,000"

7. Page 7, line 10.

Strike: "\$100"

Insert: "\$300"

Strike: "\$500"

Insert: "\$1,000"

8. Page 7, line 13.

Strike: "\$300"

Insert: "\$600"

Strike: "\$500"

Insert: "\$1,000"

9. Page 7, line 17.

Strike: "\$500"

Insert: "\$1,000"

Strike: "\$1,000"

Insert: "\$5,000"

And, as amended, do pass. Report adopted.

HB 220, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Following: "46-18-201,"

Insert: "46-18-237,"

2. Page 3, line 29.

Insert: "**Section 2.** Section 46-18-237, MCA, is amended to read:

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

"46-18-237. Garnishment -- report by supervising authority. (1) If the department of corrections becomes aware that a prisoner person while incarcerated under the legal custody of the department of corrections or a person supervised by the department is entitled to receive money from any source, the prisoner's person's supervising authority may prepare a report identifying:

- (a) the total costs incurred by the state or county during the prisoner's person's incarceration;
- (b) the criminal sentences imposed upon the prisoner person, including:
 - (i) the amount of restitution, if any, ordered in each sentence;
 - (ii) the name and current address of each victim or other person to whom restitution is owed;
 - (iii) the amount of restitution paid by the prisoner person; and
 - (iv) the amount of restitution currently owed by the prisoner person for each sentence;
- (c) the amount of any child support owed by the prisoner person.

(2) The supervising authority shall provide notice and a copy of the report to the board of crime control and the county attorney for the county in which the prisoner person was sentenced, either of whom may submit the report along with a petition for garnishment to the court that sentenced the prisoner person. The court may order garnishment of the prisoner's person's money for the payment of restitution, child support, and per diem costs of incarceration owed by the prisoner person. Upon receipt of the petition, the court shall provide a copy of the report to the prisoner person, who has 15 days following receipt to file an objection. The court may hold a hearing to consider objections raised by the prisoner person.

(3) Upon compliance with the provisions of subsections (1) and (2), the court shall determine the amount of restitution, child support, and repayment for per diem costs owed by the prisoner person. The court shall order, up to the amount of money available, payment of an amount equal to the restitution owed by the prisoner person to the person designated under 46-18-245 to supervise the making of restitution payments, any outstanding child support payments to the department of public health and human services for disbursement to the obligee, and per diem costs owed by the prisoner person. All restitution owed by the prisoner person must be paid prior to payment of any child support payments. All child support owed by the prisoner person must be paid prior to the payment of any per diem costs."

Renumber: subsequent sections

3. Page 4, line 4.

Following: "offender"

Insert: "or the offender's estate"

4. Page 4, line 4 through line 5.

Strike: "or the" on line 4 through "first," on line 5

5. Page 5, line 9.

Strike: "may receive"

Insert: "shall accept"

And, as amended, do pass. Report adopted.

HB 240, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 8.

Strike: "THE SHERIFF" on line 6 through "SENTENCE" on line 8

Insert: "AN ORDER SIGNED BY THE SENTENCING JUDGE ON THE DATE OF ORAL PRONOUNCEMENT OF SENTENCE STATING THAT THE DEFENDANT IS SENTENCED TO THAT PLACE FOR IMPRISONMENT, COMMITMENT, PLACEMENT, OR EXECUTION, AS THE CASE MAY BE; PROVIDING THAT THE ORDER IS AUTHORITY FOR THAT PLACE TO HOLD THE DEFENDANT

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

PENDING RECEIPT BY THAT PLACE OF A COPY OF THE WRITTEN JUDGMENT"

2. Page 2, line 7 through line 8.

Strike: "a letter" on line 7 through "sentence" on line 8

Insert: "an order, which must be signed by the sentencing judge on the date of oral pronouncement of sentence, stating that the defendant is sentenced to that place for imprisonment, commitment, placement, or execution, as the case may be. The order is authority for that place to hold the defendant pending receipt by that place of a copy of the written judgment"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Barrett, Chairman):
HB 115, introduced bill, be amended as follows:

1/29/2003

1. Page 1, line 22.

Following: "school."

Insert: "the emergency medical services and injury prevention section of the health policy and services division in the department of public health and human services, the department of fish, wildlife, and parks, a representative of Montana hospitals,"

2. Page 1, line 26.

Following: "and"

Insert: "and"

3. Page 1, line 27.

Following: the first "governor"

Strike: "," through "appoint"

And, as amended, do pass. Report adopted.

HB 133, do pass. Report adopted.

HB 154, introduced bill, be amended as follows:

1. Page 13, line 3.

Strike: "retirement"

Insert: "termination"

2. Page 13, line 4.

Strike: "final"

Following: "3 years"

Insert: "used to calculate average final compensation"

3. Page 13, line 7.

Strike: "If"

Insert: "Subject to subsection (2)(b), if"

4. Page 13, line 8.

Strike: "earned compensation for"

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

5. Page 13, lines 9 through 13.

Strike: "in the" on line 9 through "full-time" on line 13

Insert: ", the member's average final compensation may be calculated as follows:

(i) if the member's part-time service credit in the public employees' retirement system plus the member's part-time service credit in the teachers' retirement system equals 1 year in any of the fiscal years used in determining average final compensation, then the member's annual salary for that fiscal year must be the member's salary as a member of the public employees' retirement system plus the member's salary as a member of the teachers' retirement system; or

(ii) if the member's part-time service credit in the public employees' retirement system plus the member's part-time service credit in the teachers' retirement system equals less than 1 year in any of the fiscal years used to determine average final compensation, then the member's part-time salary as a member of the public employees' retirement system plus the member's part-time salary as a member of the teachers' retirement system must be divided by the sum of the member's part-time teachers' retirement system service credit and the member's part-time public employees' retirement system service credit, divided by the member's part-time teachers' retirement system service credit"

And, as amended, do pass. Report adopted.

HB 213, introduced bill, be amended as follows:

1. Title, page 1, line 28.

Strike: "AND"

2. Title, page 1, line 29.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 3, line 10.

Strike: "use by the board"

Insert: "the purposes of the public employees' retirement board provided for in 2-15-1009"

4. Page 13, line 2.

Strike: the second "a"

Insert: "an existing"

5. Page 13, line 3.

Strike: "existing"

6. Page 26, line 14.

Following: "credit"

Insert: "and membership service"

7. Page 26, lines 20, 29, and 30.

Following: "credit"

Insert: "and membership service"

8. Page 27, line 2.

Following: "credit"

Insert: "and membership service"

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

9. Page 29, line 30.

Strike: "also"

10. Page 32, line 2.

Following: "(1)(a)"

Strike: " 1 "

Following: "or"

Insert: "or"

Strike: ", or (2)"

11. Page 40, line 9.

Strike: "value"

Insert: "amount"

12. Page 42, line 11.

Following: the first "the"

Insert: "service"

13. Page 44, line 7.

Following: "terminate the"

Insert: "service"

14. Page 49, line 10.

Strike: "under"

Following: "age"

Insert: "or less"

15. Page 53, line 4.

Strike: "as defined in 19-2-907"

16. Page 56, lines 11 and 24.

Following: "credit"

Insert: "and membership service"

17. Page 57, lines 2, 3, 5, and 11.

Following: "credit"

Insert: "and membership service"

18. Page 62, lines 23 and 28.

Following: "credit"

Insert: "and membership service"

19. Page 63, lines 6, 7, 9, and 11.

Following: "credit"

Insert: "and membership service"

20. Page 65, line 12.

Strike: ", as defined in 19-2-907"

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

21. Page 70, lines 7, 12, 20, 21, and 23.

Following: "credit"

Insert: "and membership service"

22. Page 74, lines 6, 13, 21, 22, and 24.

Following: "credit"

Insert: "and membership service"

23. Page 74, line 26.

Following: "service"

Insert: "credit and membership service"

24. Page 82, lines 14, 21, 29, and 30.

Following: "credit"

Insert: "and membership service"

25. Page 83, lines 2, 4, and 6.

Following: "credit"

Insert: "and membership service"

26. Page 90.

Following: line 11

"NEW SECTION. Section 122. Coordination instruction. If either House Bill No. 44 or Senate Bill No. 66, or both, and [this act] are passed and approved then:

(1) Section 22 of [this act], amending 19-3-503, MCA, must read as follows:

"Section 22. Section 19-3-503, MCA, is amended to read:

"19-3-503. Application to purchase military service. (1) (a) Except as provided in subsection ~~(2)~~ (1)(b) and subject to 19-3-514, a member with at least ~~10~~ 5 years of membership service ~~credit~~ may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's active service in the armed forces of the United States, including the first special service force or the American merchant marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945.

~~(b) To purchase this service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.~~

~~(2)(b)~~ A member is not eligible to purchase active military service credit and membership service under ~~this section~~ subsection (1)(a) if the member:

~~(a)(i)~~ (i) has retired from active duty in the armed forces of the United States, including the first special service force or the American merchant marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945, with a military service retirement benefit based on that military service;

~~(b)(ii)~~ (ii) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

~~(c)(iii)~~ (iii) is eligible to receive credit for that service in any other retirement system or plan.

(2)(a) Except as provided in subsection (2)(b) and subject to 19-3-514, a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's reserve military service in the armed forces of the United States.

(b) A member is not eligible to purchase reserve military service credit and membership service under subsection (2)(a) if the member is eligible, pursuant to 19-2-707, to receive credit in the system for that service.

(3) To purchase service credit and membership service under this section, the member shall pay the

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

actuarial cost of the member's active or reserve military service credit based on the system's most recent actuarial valuation."

(2) Section 66 of [this act], amending 19-6-801, must read as follows:

"Section 66. Section 19-6-801, MCA, is amended to read:

"19-6-801. Application to purchase military service. (1) ~~(a)~~ Except as otherwise provided in this section subsection (1)(b) and subject to 19-6-805, ~~a~~ an eligible member with at least 15 years of service credit may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's active service in the armed forces of the United States ~~for the purpose of calculating retirement benefits.~~

~~(2) To purchase this military service:~~

~~(a) a member who is not covered by 19-6-710 shall contribute the amount determined by the board to be due based on the member's compensation and regular contribution rate in the member's 16th year for the 1st year purchased and, for each subsequent year purchased, an amount based on the member's compensation and contribution rate in each of as many years succeeding the member's 16th year as are required to complete the purchase, with regular interest from the date the member becomes eligible for this benefit to the date the purchase is complete. The member may not purchase more military service under this subsection (2)(a) than the member has service credit in excess of 15 years.~~

~~(b) a member who is covered by 19-6-710 shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.~~

~~(3)(b) A member is not eligible to purchase active military service credit and membership service under this section subsection (1)(a) if the member:~~

~~(a)(i) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;~~

~~(b)(ii) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or~~

~~(c)(iii) is eligible to receive credit for that service in any other retirement system or plan.~~

(2) (a) Except as provided in subsection (2)(b) and subject to 19-6-805, a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's reserve military service in the armed forces of the United States.

(b) A member is not eligible to purchase reserve military service credit and membership service under subsection (2)(a) if the member is eligible, pursuant to 19-2-707, to receive credit in the system for that service.

(3) To purchase service credit and membership service under this section:

(a) a member with at least 15 years of service credit who is not covered by 19-6-710 shall contribute the amount determined by the board to be due based on the member's compensation and regular contribution rate in the member's 16th year for the 1st year purchased and, for each subsequent year purchased, an amount based on the member's compensation and contribution rate in each of as many years succeeding the member's 16th year as are required to complete the purchase, with regular interest from the date the member becomes eligible for this benefit to the date the purchase is complete. The combined total of active and reserve military service credit that a member may purchase may be no more than the member's service credit in excess of 15 years or 5 years, whichever is less.

(b) a member with at least 5 years of membership service who is covered by 19-6-710 shall pay the actuarial cost of the member's active or reserve military service credit based on the system's most recent actuarial valuation."

(3) Section 76 of [this act], amending 19-7-803, must read as follows:

Section 76. Section 19-7-803, MCA, is amended to read:

"19-7-803. Application to purchase military service. (1) ~~(a)~~ Except as otherwise provided in this section subsection (1)(b) and subject to 19-7-805, a member with at least ~~15~~ 5 years of membership service credit may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

~~for up to 5 years of the member's active service in the armed forces of the United States for the purpose of calculating retirement benefits.~~

~~(2) To purchase this military service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.~~

~~(3)(b) A member is not eligible to purchase active military service credit and membership service under this section subsection (1)(a) if the member:~~

~~(a)(i) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;~~

~~(b)(ii) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or~~

~~(c)(iii) is eligible to receive credit for that service in any other retirement system or plan.~~

~~(2) (a) Except as provided in subsection (2)(b) and subject to 19-7-805, a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's reserve military service in the armed forces of the United States.~~

~~(b) A member is not eligible to purchase reserve military service credit and membership service under subsection (2)(a) if the member is eligible, pursuant to 19-2-707, to receive credit in the system for that service.~~

~~(3) To purchase service credit and membership service under this section, the member shall pay the actuarial cost of the member's active or reserve military service credit based on the system's most recent actuarial valuation.~~

~~(4) Military service credit purchased under this section subsection (1) or (2) is not membership service and may not be used in determining the member's eligibility for a service retirement benefit."~~

(4) Section 77 of [this act], amending 19-7-804, must read as follows:

Section 77. Section 19-7-804, MCA, is amended to read:

"19-7-804. Application to purchase additional service. (1) Subject to 19-7-805, a member with at least 5 years of membership service may, at any time before retirement, file a written application with the board to purchase 1 additional year of service credit for each 5 years of membership service.

(2) To purchase service credit under this section, a member shall pay the actuarial cost of the service credit in the sheriffs' retirement system, as determined by the board, based on the system's most recent actuarial valuation.

~~(3) Service purchased under this section may not be used to qualify a member for the purchase of military service under 19-7-803.~~

~~(4)(3) Service credit purchased under this section must be credited for the purpose of meeting retirement eligibility and for calculating retirement benefits."~~

(5) Section 87 of [this act], amending 19-8-901, must read as follows:

Section 87. Section 19-8-901, MCA, is amended to read:

"19-8-901. Application to purchase military service. (1) (a) Except as ~~otherwise~~ provided in this section subsection (1)(b) and subject to 19-8-906, a member with at least ~~15~~ 5 years of membership service credit may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's active service in the armed forces of the United States ~~for the purpose of calculating retirement benefits.~~

~~(b) To purchase this military service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation as determined by the board.~~

~~(2)(b) A member is not eligible to purchase active military service credit and membership service under this section subsection (1)(a) if the member:~~

~~(a)(i) has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;~~

~~(b)(ii) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or~~

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

~~(c)(iii)~~ is eligible to receive credit for that service in any other retirement system or plan.

(2) (a) Except as provided in subsection (2)(b) and subject to 19-8-906, a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's reserve military service in the armed forces of the United States.

(b) A member is not eligible to purchase reserve military service credit and membership service under subsection (2)(a) if the member is eligible, pursuant to 19-2-707, to receive credit in the system for that service.

(3) To purchase service credit and membership service under this section, the member shall pay the actuarial cost of the member's active or reserve military service based on the system's most recent actuarial valuation."

(6) Section 93 of [this act], amending 19-9-403, must read as follows:

Section 93. Section 19-9-403, MCA, is amended to read:

"19-9-403. Application to purchase military service. (1) (a) Except as otherwise provided in this section subsection (1)(b) and subject to 19-9-406, a member with at least ~~15~~ 5 years of membership service credit may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's active duty service in the armed forces of the United States for the purpose of calculating retirement benefits.

(2) To purchase this military service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.

(3) The member may not purchase more military service than the member's years of membership service in excess of 15 years.

(4)(b) A member is not eligible to purchase active military service credit and membership service under this section subsection (1)(a) if the member:

(a)(i) has retired from active duty in the armed forces of the United States with a military retirement benefit based on that military service;

(b)(ii) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

(c)(iii) is eligible to receive credit for that service in any other retirement system or plan.

(2) (a) Except as provided in subsection (2)(b) and subject to 19-9-406, a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's reserve military service in the armed forces of the United States.

(b) A member is not eligible to purchase reserve military service credit and membership service under subsection (2)(a) if the member is eligible, pursuant to 19-2-707, to receive credit in the system for that service.

(3) To purchase service credit and membership service under this section, the member shall pay the actuarial cost of the member's active or reserve military service credit based on the system's most recent actuarial valuation."

(7) Section 107 of [this act], amending 19-13-403, must read as follows:

Section 107. Section 19-13-403, MCA, is amended to read:

"19-13-403. Application to purchase military service. (1) (a) Except as otherwise provided in this section subsection (1)(b) and subject to 19-13-406, a member with at least ~~15~~ 5 years of membership service credit may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's active duty service in the armed forces of the United States for the purpose of calculating retirement benefits.

(b) To purchase this military service, the member shall pay the actuarial cost of the service, based on the system's most recent actuarial valuation.

(2) A member may not purchase more military service than the member's years of membership service in excess of 15 years.

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

~~(3)(b)~~ A member is not eligible to purchase active military service credit and membership service under ~~this section subsection (1)(a)~~ if the member:

~~(a)(i)~~ has retired from active duty in the armed forces of the United States with military retirement benefits based on that military service;

~~(b)(ii)~~ is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

~~(c)(iii)~~ is eligible to receive credit for that service in any other retirement system or plan.

(2) (a) Except as provided in subsection (2)(b) and subject to 19-13-406, a member with at least 5 years of membership service may, at any time prior to retirement, file a written application with the board to purchase service credit and membership service for up to 5 years of the member's reserve military service in the armed forces of the United States.

(b) A member is not eligible to purchase reserve military service credit and membership service under subsection (2)(a) if the member is eligible, pursuant to 19-2-707, to receive credit in the system for that service.

(3) To purchase service credit and membership service under this section, the member shall pay the actuarial cost of the service credit based on the system's most recent actuarial valuation.

(4) Military service purchased under this section is not membership service and may not be used in determining the member's eligibility for a service retirement benefit."

Insert: "NEW SECTION. Section 123. Effective date. [This act] is effective July 1, 2003."

And, as amended, do pass. Report adopted.

HB 251, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/28/2003

SB 77, introduced by Johnson

SB 82, introduced by Kitzenberg

SB 118, introduced by DePratu

SB 131, introduced by Barkus

SB 149, introduced by Barkus

SB 159, introduced by Johnson

SB 163, introduced by Mangan

FIRST READING AND COMMITMENT OF BILLS

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

HB 458, introduced by Musgrove, Hansen, Ripley, Tester, referred to Transportation.

HB 459, introduced by R. Brown, referred to Education.

HB 460, introduced by Morgan, R. Brown, Lake, Lange, Laszloffy, McGee, referred to Human Services.

HB 461, introduced by Gallik, Cohenour, Jacobson, Kaufmann, referred to State Administration.

HB 462, introduced by Schrupf, Laszloffy, Mendenhall, referred to Business and Labor.

HB 463, introduced by Gallik, referred to Transportation.

HB 464, introduced by Forrester, referred to Appropriations.

HB 465, introduced by P. Clark, Balyeat, Barrett, Esp, Fuchs, Golie, Rice, Sales, Shockley, Tester, Wanzenried, referred to Fish, Wildlife and Parks.

HB 466, introduced by P. Clark, Barrett, Golie, Jent, Rice, Shockley, Tester, Wanzenried, referred to Fish, Wildlife

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

and Parks.

HB 467, introduced by Barrett, Anderson, Curtiss, Mendenhall, A. Olson, Peterson, Tash, referred to Natural Resources.

HB 468, introduced by Gillan, Branae, Cooney, Ellingson, Erickson, Fuchs, Gibson, Mahlum, Nelson, Schmidt, referred to State Administration.

HB 469, introduced by Malcolm, referred to State Administration.

HB 470, introduced by Harris, Parker, referred to Federal Relations, Energy, and Telecommunications.

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

House recessed at 1:05 p.m.

House reconvened at 1:32 p.m.

**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 Kaufmann in the chair.

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

HB 197 - Representative Becker moved **HB 197** 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, 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, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ryan, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Fisher, Maedje.
Total 2

Voted Absentee: Buzzas, Franklin, Ayes.

Excused: None.
Total 0

Absent or not voting: Ross, Sales, Shockley, Thomas.
Total 4

HB 215 - Representative Brueggeman moved **HB 215** do pass.

Representative Golie moved **HB 215**, second reading copy, be amended as follows:

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

1. Title, line 7.

Following: "\$100;"

Insert: "EXEMPTING THE HOLDER OF A COMMERCIAL DRIVER'S LICENSE FROM THE STANDARDIZED REINSTATEMENT FEE;"

2. Page 1, line 14.

Following: "license"

Insert: ", other than a commercial driver's license,"

Amendment adopted as follows:

Ayes: Ballantyne, Barrett, Bergren, Bixby, Branae, R. Brown, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, Mendenhall, Newman, Parker, Pattison, Raser, Rice, Ripley, Ryan, Schruppf, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Witt.
Total 62

Noes: Andersen, Balyeat, Becker, Bitney, Bookout-Reinicke, D. Brown, Brueggeman, Everett, Fisher, Fuchs, Haines, Hedges, Lake, Laszloffy, Lawson, Lehman, McKenney, Morgan, Noennig, A. Olson, B. Olson, Peterson, Roberts, Rome, Ross, Sales, Shockley, Sinrud, Steinbeisser, Stoker, Wagman, Waitschies, Younkin, Mr. Speaker.
Total 34

Excused: Buzzas, Franklin.
Total 2

Absent or not voting: Musgrove, Thomas.
Total 2

Representative Hedges excused at this time.

Representative Maedje moved **HB 215**, second reading copy, be further amended as follows:

1. Title, line 7.

Strike: "\$100"

Insert: "\$30"

2. Page 1, line 15.

Strike: "\$100"

Insert: "\$30"

Amendment **not** adopted as follows:

Ayes: Balyeat, Barrett, P. Clark, Fisher, Fuchs, Gallus, Haines, Hawk, Jayne, Maedje, Malcolm, Ripley, Sales, Shockley, Sinrud, Steinbeisser.
Total 16

Noes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown,

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Roberts, Rome, Ross, Ryan, Schrupf, Small-Eastman, Smith, Stoker, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 79

Voted Absentee: Hedges, No.

Excused: Buzzas, Franklin.

Total 2

Absent or not voting: Lake, Lewis, Thomas.

Total 3

Motion that **HB 215**, as amended, do pass. Motion carried as follows:

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

Total 78

Noes: Balyeat, Barrett, D. Brown, R. Brown, P. Clark, Everett, Fuchs, Hawk, Jayne, Kasten, Laszloffy, Lewis, Malcolm, Mendenhall, Peterson, Rice, Ryan, Sales, Sinrud, Witt, Mr. Speaker.

Total 21

Voted Absentee: Buzzas, Franklin, Hedges, Ayes.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

HB 233 - Representative Waitschies moved **HB 233** do pass. Motion carried 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, 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

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Buzzas, Franklin, Hedges, Ayes.

Excused: None.
Total 0

Absent or not voting: Brueggeman.
Total 1

HB 134 - Representative Weiss moved **HB 134** 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, 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, 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 98

Noes: Jayne.
Total 1

Voted Absentee: Buzzas, Franklin, Hedges, Ayes.

Excused: None.
Total 0

Absent or not voting: Fuchs.
Total 1

HB 234 - Representative Cohenour moved **HB 234** do pass. Motion carried as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lenhart, Lewis, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Roberts, Schrupf, Small-Eastman, Smith, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.
Total 52

Noes: Andersen, Balyeat, Barrett, Bitney, D. Brown, R. Brown, E. Clark, Devlin, Everett, Fisher, Fuchs, Gallus, Golie, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman,

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Rome, Ross, Ryan, Sales, Shockley, Sinrud, Steinbeisser, Stoker, Waitschies, Witt, Mr. Speaker.
Total 48

Voted Absentee: Buzzas, Franklin, Ayes; Hedges, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 285 - Representative R. Brown moved **HB 285** do pass. Motion 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, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallik, Gallus, 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, 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, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Bixby, Erickson, Fritz, Galvin-Halcro, Gutsche, Harris, Juneau.
Total 7

Voted Absentee: Buzzas, Franklin, Hedges, Ayes.

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

HB 312 - Representative Lindeen moved **HB 312** 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, 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.

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Total 0

Voted Absentee: Buzzas, Franklin, Hedges, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Kaufmann 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, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gillan, Gutsche, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, 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, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 87

Noes: Golie, Ryan, Wilson.

Total 3

Excused: Buzzas, Franklin, Hedges.

Total 3

Absent or not voting: Gallus, Galvin-Halcro, Gibson, Haines, Jayne, Kaufmann, Thomas.

Total 7

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 156 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Forrester, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, 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 96

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Noes: None.
Total 0

Excused: Buzzas, Franklin, Hedges.
Total 3

Absent or not voting: Gallus.
Total 1

HB 217 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Fritz, Fuchs, Gallik, Gallus, Gibson, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Juneau, Kasten, Kaufmann, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, 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 86

Noes: Carney, Dickenson, Forrester, Galvin-Halcro, Gillan, Golie, Jayne, Keane, Matthews.
Total 9

Excused: Buzzas, Franklin, Hedges.
Total 3

Absent or not voting: Jent, Lambert.
Total 2

HB 238 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, 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 96

Noes: None.
Total 0

Excused: Buzzas, Franklin, Hedges.
Total 3

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Absent or not voting: Jent.
Total 1

HB 248 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, 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, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Erickson, Fritz, Kaufmann, Sinrud.
Total 4

Excused: Buzzas, Franklin, Hedges.
Total 3

Absent or not voting: Sales.
Total 1

HB 261 passed as follows:

Ayes: Andersen, Ballantyne, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Facey, Fisher, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Rome, Ross, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 77

Noes: Balyeat, Barrett, Becker, P. Clark, Dowell, Everett, Fuchs, Gallus, Golie, Hawk, Jayne, Lange, Maedje, Pattison, Rice, Ryan, Sales, Wagman, Weiss, Wilson.
Total 20

Excused: Buzzas, Franklin, Hedges.
Total 3

Absent or not voting: None.
Total 0

HB 315 passed as follows:

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

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, 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 97

Noes: None.
Total 0

Excused: Buzzas, Franklin, Hedges.
Total 3

Absent or not voting: None.
Total 0

HB 323 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, 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 97

Noes: None.
Total 0

Excused: Buzzas, Franklin, Hedges.
Total 3

Absent or not voting: None.
Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/29/2003

SB 164, introduced by Mangan
SB 195, introduced by Mangan
SB 258, introduced by F. Thomas

House bill concurred in and returned to the House: 1/29/2003

HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY - JANUARY 29, 2003

HB 21, introduced by Smith

FIRST READING AND COMMITMENT OF BILLS

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

SB 164, introduced by Mangan, referred to Human Services.

SB 195, introduced by Grimes, Ellingson, Cooney, Keenan, Mahlum, McGee, Nelson, Pease, Tash, Tester, F. Thomas, Wheat, referred to State Administration.

SB 258, introduced by F. Thomas, R. Brown, Brueggeman, Keenan, Laszloffy, McNutt, Mood, Stapleton, referred to Joint Select Committee on Districting and Apportionment.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Thursday, January 30, 2003. Motion carried.

House adjourned at 3:04 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House