

**HOUSE JOURNAL
58TH LEGISLATURE
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 6, 2003

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair.

Roll Call. All members present, except Representatives Fuchs, Gallus, and Morgan, excused. Quorum present.

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

Bookout-Reinicke, Chairman

SPECIAL ORDERS OF THE DAY

Sergeant-at-arms Clark escorted the Senate into the House Chambers.

Speaker Mood recognized President Keenan and yielded the chair to him. President Keenan relinquished the chair to Speaker Mood so he could preside over the joint session.

Senator Thomas moved that the body resolve itself into a joint session for the purpose of receiving the State of the Judiciary Address from the Honorable Chief Justice of the Supreme Court of the State of Montana, Karla M. Gray. Motion carried.

Senator Thomas moved the Speaker be authorized to appoint a committee to notify the Honorable Chief Justice and Justices of the Supreme Court of the State of Montana that we are in joint session and ready to receive the State of the Judiciary Address. Motion carried.

The Speaker appointed Senator Wheat, Senator Perry, Representative Shockley, and Representative Jayne to escort the Honorable Chief Justice and Justices into the House chamber.

Sergeant-at-arms Cramer admitted the escort committee and Associate Justices into the House chamber.

Sergeant-at-arms Cramer admitted the escort committee and The Honorable Chief Justice Gray into the House chamber.

Colors posted by the Montana State Prison Honor Guard. Pledge of Allegiance to the Flag

Invocation by Pastor Keith Johnson of the Evangelical Covenant Church.

Speaker Mood welcomed the Justices and introduced Chief Justice Karla M. Gray, who gave the following address:

follows:Speaker Mood, President Keenan, Members of the 58th Montana Legislature, distinguished guests, fellow Montanans, I am honored to address this joint session of the 58th Montana Legislature, and the people of Montana we all serve.

Our beloved state faces particularly challenging times right now, and we must all give the best that is in us--and perhaps a little more--to solve the problems we face. As I said two years ago, when Montana's severe fiscal straits had not yet surfaced, this is a time to renew our commitment to providing the people of Montana all they deserve, from all of us, in our respective roles under the Montana Constitution. I assured you then, and I assure you again today, that Montana's judges have made this commitment. And I know the Governor and this Legislature have done the same.

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We must all work together--not at odds with each other--or we cannot succeed; and succeed we must!

There are so many thoughts I'd like to share this afternoon, but time is short and we all have much work to do. So, first, I'll briefly address the structure of Montana's judicial branch of government. Then I need to visit with you--on this one occasion when I can do so face-to-face with all of you at once--about matters pending here which impact the judicial branch. But don't worry--with the scores of court-related bills already in the hopper this year, I promise not to touch on all of them! And, finally, I'll return to my opening theme of our three-branch governmental structure.

You know, courts and the rule of law are the cornerstones of our constitutional republic. Courts are where our citizens bring their disputes for peaceful resolution, rather than taking to the streets in arms. Here in Montana, our citizens are served by a 3-tiered judicial system that has been--and remains--strong, notwithstanding enormous changes and challenges in the last two years. We are strong because Montanans elect high quality judges and justices at all levels to provide them the justice to which they are entitled, without unreasonable delay, under the Montana Constitution. Also, of course, we are strong because--like the other two branches--we have enormously dedicated staff to help us serve all Montanans.

The first level of our judicial branch is the 158 courts of limited jurisdiction--the Justices of the Peace, Municipal Court judges, and City Court judges. These are our local courts, and they hear over 250,000 cases each year, including traffic offenses, local ordinance violations, misdemeanor criminal charges, small-dollar-amount civil actions, landlord/tenant disputes and others. These judges are truly the "front line" judges in our branch, and they are the only courts with which most Montanans will ever have contact. They truly deserve our respect, and our thanks, for the outstanding job they do in handling their enormous case loads in a fair and expeditious manner.

The next level of Montana courts is the district courts, with their 42 judges; and I want to thank the last Legislature again--as I'm certain the people of Cascade and Ravalli Counties do--for adding a new judge to each of those two judicial districts. The statutory water court and workers' compensation court are at this same level in our judicial branch structure. Except for the specialized statutory courts, the district courts are courts of general jurisdiction; they handle every conceivable kind of civil case, all felony criminal cases, judicial review of agency decisions and some appeals from the courts of limited jurisdiction. Our district court judges are also our Youth Court judges. Approximately 30,000 cases are filed in the district courts each year and those cases are in very good hands.

The third level in our judicial branch is, of course, the Montana Supreme Court. The seven members of the Supreme Court--a Chief Justice and six Justices--are the "end of the road" on questions arising under Montana law. Many of our cases involve trying to determine what your intent was in passing certain statutes. And if you think we got your intent wrong, you can--and regularly do--amend statutes in response. We sometimes apply statutes as expressly written, but invite you to revisit those statutes. And you often do. We are also, though, the final protectors of the rights and freedoms Montanans provided directly to each of us when they--not this body and not the Court--adopted the 1972 Montana Constitution.

Our Supreme Court is uncommonly busy, because we must take the appeals anyone wants to bring from the statutory courts and all the district courts across the state. And we are uncommonly productive, because we are dedicated to meeting our constitutional responsibilities to the people of Montana in a quality manner, and as quickly as you give us the resources to accomplish.

With regard to productivity and efficiency at the Supreme Court, both increased in 2002 over 2001. We issued 353 written opinions last year, compared to 316 in 2001. And, at least as importantly, the average number of days from the time a case came "upstairs" to the Court for consideration, to the time an opinion was issued, decreased from 170 days in 2001, to 123 days in 2002. Now that may not seem like a big improvement to you, but it matters greatly to litigants who have a substantial interest in finally having their cases resolved. We accomplished these improvements by making good use of the three new law clerks authorized by the last Legislature, as moved in budget subcommittee

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by Senator Stapleton, and which I urge you to reauthorize this year. Please don't let us go backwards in getting Montanans to the "end of the legal road" without unreasonable delay, as required by the Montana Constitution!

In 2002, the Supreme Court also changed some long-standing internal procedures, which allows us to consider more new appeals each week than we had in 2001. We continue to seek additional innovative ways to increase efficiency, without sacrificing the quality of our work. Indeed, we are presently creating a new style of opinion to resolve some appeals more efficiently than ever before. It doesn't go as far as Representative Shockley would like us to go, but I'm pretty sure he'll think it's an improvement!

I turn now, as I must, to legislative-related matters, and highlight those which impact fiscally on the abilities of Montana's courts to meet their responsibilities to the citizens of Montana. First is Representative Shockley's HB 18, introduced at the Supreme Court's request. It's a simple, but absolutely critical, bill which does only two things: it eliminates the sunset on the current court information technology surcharge, and increases the surcharge from \$5 to \$10. There is no general fund impact. The surcharge is pretty much the only source of funding for judicial branch IT, so we not only can't let it sunset, it must be increased to meet the additional and significant IT needs which came over--without any related funding--as a result of state assumption. This bill zinged out of House Judiciary 18 to 0, and received a third reading vote in the House of 99 to 0. I ask the Senate to give HB 18 the same level of support.

Most of the rest of my remarks on legislative matters relate in some way or other to state assumption. When I stood before you two years ago, the courts of Montana were being funded--as always they had been; never luxuriously, but always adequately to meet at least minimal levels needed for the courts to meet their constitutional obligations to the people of Montana. The branch's budget proposals to the Legislature generally contained a couple of decision packages, but they were not highly controversial.

Then came HB 124, the "Big Bill" and SB 176, the state assumption bill. SB 176 was not a bill at the Supreme Court's request; we took no position on it at all. Nor did state assumption receive a lot of scrutiny on the floor of either house, sort of coming in under the wing of the "Big Bill" nearly at the end of the session. In any event, state assumption is the current reality. Conceptually, it's a good idea, and it may well provide opportunities in the future for Montana's courts to better serve all Montanans. At the moment, however, state assumption has made the judicial branch's budget a nightmare. And so, my first request is that you continue to ensure that Montana's courts are adequately funded, in whichever way you ultimately determine is appropriate. State assumption was never intended to hurt Montana's courts or the people of Montana we serve!

The tools to fund the courts are before you. Those tools, starting with the highest adverse impact on the general fund, currently appear to be these:

- 1) Fund the judicial branch's budget request from the general fund. Our budget request is approximately \$18 million over the executive's recommended budget for the biennium, with about \$17.2 million of that amount directly related to state assumption;
- 2) Continue to fund the state assumption-related expenses on a shared state/counties basis by means of a proposal I've offered to the budget subcommittee and a Senate joint subcommittee. That proposal would set aside \$7.5 million each year in the coming biennium for the reimbursement of what we call variable costs; any excess would go to the counties, but the counties would retain fall-back responsibility if the \$7.5 million per year is not enough to cover those costs. This proposal is about \$2.4 million over the executive's recommended budget;
- 3) Return the responsibility for \$17.2 million in state assumption-related costs to the counties under SB 134, which was introduced at the request of the Office of Budget and Program Planning. This bill, and other matters, are currently being researched by the Senate joint subcommittee; or
- 4) Adopt SB 264, which repeals state assumption altogether and may save the general fund over \$22 million.

These decisions are, of course, yours to make. My overriding position, stated simply, is that Montana's courts must not be underfunded as a result of the 57th Legislature's action in adopting state assumption.

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My second request is that, in funding the courts, you not allow state assumption funding needs to impact adversely on other Court programs that pre-existed the last Legislature's decision to make the state responsible for district court expenses. It would be totally unfair to force other Court programs to subsidize state assumption, or to refuse to consider the needs of those programs separately from the needs of state assumption. And back to state assumption for a minute, I ask you to authorize the 2.25 administrative FTE requested in our budget proposal. Existing staff simply cannot manage the unimaginable paper blizzard which has engulfed us since state assumption. The result is that the counties are having to wait too long to be reimbursed, and that's just wrong!

The last thoughts I want to share with you on fiscal matters are these: Notwithstanding the recent turbulence resulting from state assumption, the Montana judiciary is fully committed, one and all, both to ensuring that all Montanans have access to justice, and to administering justice fairly and timely. We cannot do it without your support in providing the resources needed to meet our constitutional responsibilities.

Let me close by coming back full circle to the beginning, and talking again about all three branches of government. It occurred to me a couple of nights ago that there are actually more elected judges in Montana than there are members of the Montana Legislature. In addition, the judicial branch has a higher percentage of women among its ranks than the Legislature. These are not significant differences, merely informational tidbits. But there are differences between all three branches that are significant, and perhaps the biggest of those is this: the executive branch and the legislative branch are essentially pro-active branches, while the judicial branch is not. The executive branch is charged with running state government at all times, in nearly every respect. Similarly, the legislative branch currently meets every two years to enact, in a very active way, the laws which reflect the public policy of Montana, and which govern all manner of behavior for both the people of Montana and the private and public sectors of this wonderful state. The judicial branch's role is, in essence, to wait for the people of Montana to bring us their disputes to resolve. Of course, there's never really any waiting involved, given the caseloads at all levels of our branch. But ours is a passive role; our sole existence is to be there for those who need us, and to resolve their problems fairly and objectively under the law. And we are there--as are both of the other branches in their different ways--for the people of Montana!

You know, I'm certain we all agree that our system of government, with its three separate and distinct branches and its system of checks and balances, is the best system in the world. There will always be inevitable tensions between the branches, because those tensions were deliberately created by the framers of both the United States and Montana Constitutions. But this is the place--this Legislature, every two years--where the three branches of government come together to resolve Montana's problems. And I'd suggest to you that the built-in tensions between the branches amount to nothing, when compared with the necessity of working together--in good faith and with good will--to do the best we can for the people of Montana. So let's join together in ensuring that we conduct ourselves with mutual respect and civility. And let's resolve our problems together. If we do less, the people's trust and confidence in government will continue to decrease, and we will have lost this valuable opportunity to show Montanans the inherent greatness of our governmental structure.

In closing, and on behalf of the entire judicial branch, I extend our very best wishes to you as you wrestle through this enormously challenging session.

Speaker Mood thanked Chief Justice Gray for her address.

The committee escorted the Honorable Chief Justice, Justices, and dignitaries from the House chamber.

Senator Thomas moved the joint session of the 58th Legislature be adjourned. Motion carried.

Members of the Senate retired from the House chamber.

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REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/6/2003
Correctly printed: **HB 55, HB 351, HB 385.**
Correctly engrossed: **HB 17, HB 101, HB 226, HB 292, HB 369.**
Correctly enrolled: **HB 16, HB 25, HB 34, HB 38, HB 39, HB 46, HB 48, HB 68, HB 69, HB 78, HB 84, HB 132, HB 162.**
Examined by the sponsor and found to be correct: **HB 16, HB 25, HB 34, HB 38, HB 39, HB 46, HB 48, HB 68, HB 69, HB 78, HB 84, HB 132, HB 162.**
Signed by the Speaker at 11:33 a.m., February 5, 2003: **HB 31, HB 58, HB 62, HB 70, HB 83, HB 153.**
Signed by the Speaker at 11:25 a.m., February 6, 2003: **HB 16, HB 25, HB 34, HB 38, HB 39, HB 46, HB 48, HB 68, HB 69, HB 78, HB 84, HB 132, HB 162.**
Delivered to the Governor for approval at 4:07 p.m., February 5, 2003: **HB 31, HB 58, HB 62, HB 70, HB 83, HB 153.**

AGRICULTURE (Rice, Chairman): 2/5/2003
HB 378, introduced bill, be amended as follows:

1. Page 1, lines 18 and 19.
Strike: "species that occurred in Montana prior to 1805"
Insert: "indigenous to the state of Montana"
2. Page 2, lines 7 and 8.
Strike: "species that occurred in Montana prior to 1805"
Insert: "indigenous to the state of Montana"

And, as amended, do pass. Report adopted.

HB 420, do pass. Report adopted.

APPROPRIATIONS (Lewis, Chairman): 2/6/2003
HB 160, do pass. Report adopted.

BUSINESS AND LABOR (McKenney, Chairman): 2/5/2003
HB 184, introduced bill, be amended as follows:

1. Page 1, line 18 through line 19.
Strike: "has" on line 18 through "are" on line 19
Insert: "includes but is"
2. Page 2, line 19 through line 21.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections
3. Page 2, line 28.
Following: "not"
Insert: "determine credit history or credit score or"

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Following: "upon"
Strike: "a"

4. Page 3, line 3.

Following: "house"

Insert: "if it is evident from the consumer report or credit history that the loan is for the purchase of a vehicle or house"

5. Page 4, line 14.

Strike: "five"

Insert: "four"

6. Page 4, line 30.

Strike: "a consumer"

Insert: "an insured"

7. Page 5, line 1.

Strike: "consumer"

Insert: "insured"

8. Page 5, line 3.

Strike: "consumer"

Insert: "insured"

9. Page 5, line 4.

Strike: "consumer"

Insert: "insured"

10. Page 5, line 5.

Strike: "consumer"

Insert: "insured"

11. Page 5, line 6.

Strike: "consumer"

Insert: "insured but may increase the premium based upon the corrected information at the next renewal"

12. Page 5, line 13.

Strike: "or fails to renew"

13. Page 5, line 14.

Strike: "or nonrenewal"

14. Page 5, line 15.

Strike: "or"

Insert: "and"

And, as amended, do pass. Report adopted.

HB 501, introduced bill, be amended as follows:

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1. Page 4, line 4.

Strike: "31" in two places

Insert: "37" in both places

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Noennig, Chairman):

2/6/2003

HB 264, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ADHERE TO"

Insert: "SUPERVISE STAFF IN A MANNER THAT COMPLIES WITH"

2. Page 1, line 13.

Strike: "elected and appointed"

3. Page 1, line 20.

Strike: "adhere to"

Insert: "supervise staff in a manner that complies with"

And, as amended, do pass. Report adopted.

HB 333, do pass. Report adopted.

STATE ADMINISTRATION (Barrett, Chairman):

2/5/2003

HB 435, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "A"

Insert: "MONTANA"

Strike: "LOCAL GOVERNMENT"

Insert: "POLITICAL SUBDIVISION"

2. Page 1, line 17.

Following: the second "a"

Insert: "Montana"

Strike: "local government"

Insert: "a political subdivision of the state of Montana"

And, as amended, do pass. Report adopted.

HR 2, be adopted. Report adopted.

TAXATION (Fuchs, Chairman):

2/6/2003

HB 490, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/5/2003

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SB 65, introduced by Roush
SB 121, introduced by Glaser
SB 238, introduced by Mangan
SB 274, introduced by McGee

FIRST READING AND COMMITMENT OF BILLS

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

HB 525, introduced by Keane, E. Clark, Cooney, Jacobson, A. Olson, referred to Business and Labor.
HB 526, introduced by Kaufmann, Bergren, Franklin, Wanzenried, Weiss, referred to Business and Labor.
HB 527, introduced by Mendenhall, referred to Natural Resources.
HB 528, introduced by Raser, Mahlum, referred to Local Government.
HB 529, introduced by Kaufmann, Bohlinger, R. Brown, Brueggeman, Dickenson, Ellingson, Jayne, Keenan, Lindeen, Musgrove, Schrupf, referred to Judiciary.
HB 530, introduced by Erickson, referred to Transportation.
HB 531, introduced by Hurwitz, Barrett, Brueggeman, Bookout-Reinicke, Haines, Lake, Lehman, A. Olson, Pattison, Rice, Ripley, referred to Agriculture.
HB 532, introduced by Stoker, referred to State Administration.
HB 533, introduced by Stoker, referred to Natural Resources.
HB 534, introduced by Steinbeisser, referred to Business and Labor.
HB 535, introduced by Jacobson, referred to Local Government.
HB 536, introduced by Brueggeman, referred to Business and Labor.

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

HJR 19, introduced by Raser, referred to Human Services.
HJR 20, introduced by Roberts, D. Brown, referred to Business and Labor.

**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 Laszloffy in the chair.

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

HB 142 - Representative Devlin moved **HB 142** 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, 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

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Noes: None.
Total 0

Voted Absentee: Fuchs, Gallus, Morgan, Ayes.

Excused: None.
Total 0

Absent or not voting: Mendenhall.
Total 1

HB 150 - Representative Lawson moved **HB 150** 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: Fuchs, Gallus, Morgan, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 151 - Representative B. Olson moved **HB 151** 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, 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

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Voted Absentee: Fuchs, Gallus, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

HB 178 - Representative R. Brown moved consideration of **HB 178** be passed for the day. Motion carried.

HB 180 - Representative E. Clark moved **HB 180** 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, Schrumph, 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: Fuchs, Gallus, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 211 - Representative Newman moved **HB 211** do pass.

Representative Juneau moved **HB 211**, second reading copy, be amended as follows :

1. Title, page 1, line 7.

Following: "MEMBERS;"

Insert: "REQUIRING THAT AT LEAST ONE MEMBER OF THE BOARD BE SUPPORTED AT THE TIME OF APPLICATION BY AT LEAST TWO OF THE EIGHT TRIBAL GOVERNMENTS IN MONTANA;"

2. Page 1, line 23.

Following: "board."

Insert: "In order to comply with the intent of 2-15-108, at least one member of the board must be supported at the time of the member's application by letters of recommendation from at least two of the eight tribal governments in Montana."

Amendment adopted as follows:

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Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Musgrove, Newman, Parker, Pattison, Raser, Ripley, Roberts, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 50

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, E. Clark, Devlin, Everett, Fisher, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Noennig, B. Olson, Peterson, Rice, Rome, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 46

Voted Absentee: Fuchs, Aye.

Excused: Gallus, Morgan.
Total 2

Absent or not voting: A. Olson, Ross.
Total 2

Motion that **HB 211**, as amended, do pass carried as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.
Total 74

Noes: Andersen, Balyeat, Bitney, D. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Hawk, Hedges, Jackson, Kasten, Laslovich, Maedje, Malcolm, McKenney, Pattison, Peterson, Rice, Sales, Sinrud, Wagman, Waitschies, Witt, Mr. Speaker.
Total 26

Voted Absentee: Fuchs, Gallus, Morgan, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 379 - Representative Ripley moved **HB 379** do pass.

Representative Ripley moved **HB 379**, second reading copy, be amended as follows:

1. Title, page 1, line 12.
Following: "143;"

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Insert: "PROVIDING FOR A LOCAL OPTION ELECTION REGARDING HARVESTING ALTERNATIVE LIVESTOCK FOR A FEE OR OTHER REMUNERATION;"

2. Page 2, line 6 through line 7.

Strike: "harvest for a fee or other remuneration," on line 7

3. Page 2, line 8.

Strike: "and"

4. Page 2, line 9.

Strike: "."

Insert: "; and (d) subject to [section 7], harvest alternative livestock for a fee or other remuneration."

5. Page 6, line 9.

Insert: "NEW SECTION. Section 7. Local option election for harvest of alternative livestock for fee or other remuneration. (1) The county commissioners of each county shall either authorize or prohibit the harvest of alternative livestock for a fee or other remuneration within that county.

(2) The county commissioners' determination is subject to the initiative and referendum provisions of 7-5-131 through 7-5-137."

Renumber: subsequent sections

6. Page 6, line 12.

Strike: "[SECTIONS 1, 2, AND 6]"

Insert: "[Sections 1, 2, 6, and 7]"

7. Page 6, line 14.

Strike: "[sections ~~1 and 2~~ 1, 2, AND 6]"

Insert: "[sections 1, 2, 6, and 7]"

Representative R. Brown moved for cloture. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Cyr, Devlin, Dowell, Everett, Facey, Fisher, Franklin, Gallik, Gibson, Gillan, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin.

Total 78

Noes: Balyeat, Bixby, P. Clark, Cohenour, Dickenson, Erickson, Forrester, Fritz, Galvin-Halcro, Golie, Gutsche, Jent, Raser, Ryan, Wilson.

Total 15

Excused: Fuchs, Gallus, Morgan.

Total 3

Absent or not voting: E. Clark, Lehman, Lindeen, Mr. Speaker.

Total 4

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Amendment adopted as follows:

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

Total 53

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laszloffy, Lawson, Lenhart, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Shockley, Wanzenried, Weiss, Wilson, Windy Boy.

Total 45

Voted Absentee: Fuchs, Morgan, Ayes.

Excused: Gallus.

Total 1

Absent or not voting: Lindeen.

Total 1

Representative P. Clark moved **HB 379**, second reading copy, be further amended as follows :

1. Title, line 13.

Following: line 12

Insert: "PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA;"

2. Title, line 14.

Following: "PROVIDING AN"

Strike: "IMMEDIATE"

3. Page 6, line 19.

Following: "effective on"

Strike: "passage and"

Following: "approval"

Insert: "by the electorate"

4. Page 6.

Following: line 22

Insert: "NEW SECTION. Section 12. Submission to electorate. This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2004 by printing on the ballot the full title of this act and the following:

- FOR authorizing alternative livestock ranches to operate pursuant to the provisions of law in effect prior to passage of Initiative Measure No. 143.
- AGAINST authorizing alternative livestock ranches to operate pursuant to the provisions of law in effect prior to passage of Initiative Measure No. 143."

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Amendment **not** adopted as follows:

Ayes: Balyeat, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jent, Juneau, Kaufmann, Keane, Lawson, Lenhart, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Sales, Shockley, Wanzenried, Weiss, Wilson, Windy Boy.

Total 46

Noes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 52

Voted Absentee: Fuchs, No.

Excused: Gallus, Morgan.

Total 2

Absent or not voting: None.

Total 0

Motion that **HB 379**, as amended, do pass.

Representative R. Brown moved for cloture. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fritz, Gillan, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.

Total 66

Noes: Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Jacobson, Jent, Juneau, Kaufmann, Laslovich, Lindeen, Newman, Wanzenried, Wilson, Windy Boy.

Total 30

Excused: Fuchs, Gallus, Morgan.

Total 3

Absent or not voting: Raser.

Total 1

Motion that **HB 379**, as amended, do pass carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman,

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E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 53

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

Total 47

Voted Absentee: Fuchs, Morgan, Ayes; Gallus, No.

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 Laszloffy moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 56

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

Total 38

Excused: Fuchs, Gallus, Morgan.

Total 3

Absent or not voting: Franklin, Haines, Schrumpf.

Total 3

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 218 passed as follows:

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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, 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, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Fuchs, Gallus, Morgan.

Total 3

Absent or not voting: Smith.

Total 1

HB 321 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, 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, 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 95

Noes: Becker, Franklin.

Total 2

Excused: Fuchs, Gallus, Morgan.

Total 3

Absent or not voting: None.

Total 0

HB 403 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, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, 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, Schrupf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt.

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Total 85

Noes: Balyeat, Devlin, Everett, Fisher, Gallik, Hawk, Jackson, Sales, Sinrud, Steinbeisser, Younkin, Mr. Speaker.
Total 12

Excused: Fuchs, Gallus, Morgan.
Total 3

Absent or not voting: None.
Total 0

HB 406 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, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Musgrove, Newman, Noennig, A. 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 92

Noes: Buzzas, Jacobson, Jent, Mendenhall.
Total 4

Excused: Fuchs, Gallus, Morgan.
Total 3

Absent or not voting: B. Olson.
Total 1

HJR 1 adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Franklin, Fritz, Gallik, 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, 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, Mr. Speaker.
Total 89

Noes: Balyeat, D. Brown, R. Brown, Sales, Shockley, Younkin.
Total 6

Excused: Fuchs, Gallus, Morgan.
Total 3

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Absent or not voting: Forrester, Gillan.
Total 2

HJR 5 adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Stoker, Thomas, Wanzenried, Wilson, Younkin.
Total 71

Noes: Balyeat, D. Brown, R. Brown, Everett, Fisher, Franklin, Gillan, Jayne, Kasten, Lange, Laszloffy, Maedje, Malcolm, Pattison, Roberts, Sales, Sinrud, Steinbeisser, Wagman, Waitschies, Weiss, Windy Boy, Witt, Mr. Speaker.
Total 24

Excused: Fuchs, Gallus, Morgan.
Total 3

Absent or not voting: Haines, Smith.
Total 2

HJR 6 adopted 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, Facey, Fisher, Forrester, Franklin, Fritz, 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, 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 93

Noes: Balyeat, R. Brown, Everett, Sales.
Total 4

Excused: Fuchs, Gallus, Morgan.
Total 3

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Mr. Speaker asked Representative Jacobson to lead the House in singing Happy Birthday to Representative Buzzas.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Friday, February 7, 2003. Motion carried.

House adjourned at 3:55 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House