

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

Helena, Montana  
February 1, 2003

House Chambers  
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair.

Invocation sung by Page Ashley Miller and piano accompaniment by Representative Schrupf.

Pledge of Allegiance to the Flag.

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

Bookout-Reinicke, Chairman

The Speaker introduced the University of Great Falls Trinitas Choir which includes former Senator Chris Christiaens and directed by John Sidlitz who performed two songs for the House.

Roll Call. All members present, except Representatives Bitney, Buzzas, Everett, and Peterson, excused. Quorum present.

Mr. Speaker introduced the honorary page for the day:

Micah Crowley, Helena

**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 51** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, 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

Noes: None.  
Total 0

Excused: Bitney, Buzzas, Everett, Peterson.  
Total 4

Absent or not voting: None.  
Total 0

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**HB 76** passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, 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, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Balyeat, Erickson, Gutsche, Harris, Kaufmann, Sales, Small-Eastman, Smith.

Total 8

Excused: Bitney, Buzzas, Everett, Peterson.

Total 4

Absent or not voting: None.

Total 0

**HB 121** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, 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, 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: None.

Total 0

Excused: Bitney, Buzzas, Everett, Peterson.

Total 4

Absent or not voting: Fritz.

Total 1

**HB 122** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange,

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Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 94

Noes: None.  
Total 0

Excused: Bitney, Buzzas, Everett, Peterson.  
Total 4

Absent or not voting: Gallik, Keane.  
Total 2

**HB 181** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, 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, Raser, Rice, Ripley, Roberts, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 92

Noes: Hawk, Rome, Steinbeisser, Wagman.  
Total 4

Excused: Bitney, Buzzas, Everett, Peterson.  
Total 4

Absent or not voting: None.  
Total 0

**HB 296** passed as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Laslovich, Lawson, Lenhart, Lindeen, Maedje, Malcolm, Morgan, Musgrove, Newman, Noennig, Parker, Raser, Ripley, Roberts, Ryan, Shockley, Sinrud, Small-Eastman, Smith, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.  
Total 63

Noes: Andersen, Balyeat, Barrett, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Fisher, Fuchs, Hawk, Hedges, Kasten, Lange, Laszloffy, Lehman, Lewis, Matthews, McKenney, Mendenhall, A. Olson, B. Olson, Pattison, Rice, Rome, Ross, Sales, Schrupf, Steinbeisser, Stoker, Thomas, Waitschies, Witt.

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Total 33

Excused: Bitney, Buzzas, Everett, Peterson.

Total 4

Absent or not voting: None.

Total 0

**HB 311** passed as follows:

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

Total 87

Noes: Balyeat, D. Brown, R. Brown, Golie, Hawk, Laszloffy, Sales, Sinrud.

Total 8

Excused: Bitney, Buzzas, Everett, Peterson.

Total 4

Absent or not voting: Parker.

Total 1

**HB 317** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, 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: None.

Total 0

Excused: Bitney, Buzzas, Everett, Peterson.

Total 4

Absent or not voting: Morgan.

Total 1

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**HB 338** passed as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lenhart, Lewis, Lindeen, Maedje, Matthews, Musgrove, Newman, A. Olson, B. Olson, Parker, Raser, Rome, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Mr. Speaker.  
Total 59

Noes: Andersen, Balyeat, Barrett, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Fuchs, Hawk, Hedges, Jackson, Kasten, Lake, Laszloffy, Lehman, Malcolm, McKenney, Mendenhall, Morgan, Noennig, Pattison, Rice, Ripley, Roberts, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin.  
Total 37

Excused: Bitney, Buzzas, Everett, Peterson.  
Total 4

Absent or not voting: None.  
Total 0

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 2/1/2003  
Correctly printed: **HB 60, HB 151, HB 152, HB 198, HB 272, HB 392.**  
Correctly engrossed: **HB 131, HB 142, HB 158, HB 176, HB 303, HB 304, HB 410, HJR 12, HJR 14.**  
Correctly enrolled: **HB 21.** 1/31/2003  
Examined by the sponsor and found to be correct: **HB 21.** 1/31/2003  
Signed by the Speaker at 2:55 p.m., January 31, 2003: **HB 21.**  
Signed by the Chief Clerk of the House at 2:56 p.m., January 31, 2003: **HB 21.**  
Signed by the President at 3:25 p.m., January 31, 2003: **HB 21.**  
Delivered to the Governor for approval at 4:00 p.m., January 31, 2003: **HB 21.**

**AGRICULTURE** (Rice, Chairman): 1/30/2003  
**HB 325**, do pass. Report adopted.  
**HB 364**, do pass. Report adopted.  
**HB 379**, introduced bill, be amended as follows:

1. Title, page 1, line 7.  
**Following:** "87-4-412"  
**Insert:** ", "  
**Strike:** "AND"  
**Following:** "87-4-417"  
**Insert:** ", AND 87-4-428"

2. Page 2, line 30.  
**Following:** "~~transfer prohibited~~"  
**Insert:** " -- transferability"  
**Following:** "(†)"

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**Insert:** "(1)"

3. Page 3.

**Following:** line 4

**Insert:** "(2) An alternative livestock ranch license for a specific facility is transferable with the consent of the department. The department's consent must be given if:

- (a) the transferee owns or leases the premises on which the operations are to be conducted;
- (b) the transferee or the transferee's principal manager:
  - (i) has not been convicted of or has not forfeited bond of \$100 or more for more than one violation of the fish and game laws or applicable regulations of any state or the United States within a 5-year period prior to application;
  - (ii) has not at any time pleaded guilty to or been convicted of a felony, unless civil rights have been restored pursuant to law. A person may not apply for a transfer at any time during which a deferred or suspended felony sentence is in effect.
  - (iii) is at least 18 years of age.
- (c) the alternative livestock ranch and facilities are in compliance with requirements in place at the time the license was issued;
- (d) the alternative livestock ranch is not under quarantine by the department;
- (e) alternative livestock to be transferred are not prohibited under this part and department rules; and
- (f) the transfer is not proposed as a means to evade a requirement imposed on the licensee."

4. Page 3.

**Following:** line 27

**Insert:** "**Section 5.** Section 87-4-428, MCA, is amended to read:

**"87-4-428. Right to administrative hearing.** (1) A licensee must be given notice and an opportunity for a hearing before the department may refuse to renew a license, revoke a license, ~~or~~ discipline a licensee, deny a license modification, or issue a license modification with stipulations.

(2) The notice and an opportunity for a hearing and any judicial appeal must be conducted as provided in Title 2, chapter 4, parts 6 and 7."

**Insert:** "**NEW SECTION. Section 6. Criteria for modification of license.** (1) A new alternative livestock ranch license may not be issued in this state.

(2) An application for an alternative livestock ranch license modification may be denied in its entirety or issued with stipulations if necessary to prevent public safety hazards or significant negative impacts to Montana's wildlife resources. Denial of an application or stipulations attached to a license modification must be based on one or more of the following potential impacts attributed to the physical location of the alternative livestock ranch:

- (a) substantial loss or destruction of critical seasonal game animal habitat or habitat of federally designated threatened or endangered species under the Endangered Species Act of 1973, 16 U.S.C. 1531, et seq., including but not limited to critical breeding, birthing, rearing, and wintering areas;
- (b) blockage or disruption of major traditional seasonal migration corridors or major travel routes;
- (c) an unacceptable threat of introduction or transmission of serious diseases or parasites to native wildlife populations, as determined by the state veterinarian appointed pursuant to 81-1-301;
- (d) an unacceptable threat of escape of alternative livestock and establishment of feral populations that would result in habitat damage or competition with or genetic hybridization of native wildlife populations.

(3) The denial of an application for license modification or the issuance of a license modification with stipulations must be based on substantive and credible evidence.

(4) An application for a license modification may not be for the purpose of charging a fee for the harvest of alternative livestock.

(5) If the department determines that it will propose to deny an application for a license modification or issue a license modification with stipulations, the applicant must be given an opportunity to make changes to the

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application within 30 days of receipt of the department's written determination in order to mitigate or correct any problems or deficiencies. The department shall reconsider the application with the proposed changes within 30 days of receipt of changes to the application before granting, proposing to deny, or proposing to issue a license modification with stipulations.

(6) (a) An applicant may request that the alternative livestock advisory council review a department proposal to deny an application for a license modification or to issue a license modification with stipulations by petitioning the alternative livestock advisory council for review within 10 days of the department's proposed decision. The alternative livestock advisory council shall issue a recommendation to the commission to either grant the license modification, propose to deny the license modification, or issue the license modification with stipulations.

(b) Upon receipt of the alternative livestock advisory council's recommendation pursuant to subsection (6)(a), the commission shall decide whether to grant the license modification, propose to deny the license modification, or issue the license modification with stipulations. The commission decision then becomes the department's proposed decision, subject to an opportunity for hearing pursuant to 87-4-428.

(7) The department may establish by rule additional criteria for license modifications."

**Renumber:** subsequent sections

5. Page 4, line 1.

**Strike:** "[Sections 1 and 2]"

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

6. Page 4, line 3.

**Strike:** "1 and 2"

**Insert:** "1, 2, and 6"

And, as amended, do pass. Report adopted.

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

1/31/2003

**HB 186**, introduced bill, be amended as follows:

1. Title, page 1, line 9.

**Strike:** "LIEN"

2. Title, page 1, line 13.

**Following:** "MOTOR VEHICLE"

**Insert:** "DEALERS"

**Following:** "RECREATIONAL VEHICLE"

**Insert:** "DEALERS"

**Strike:** "AND"

**Following:** "DEALERS"

**Insert:** ", WHOLESALERS, AND AUTO AUCTIONS"

3. Title, page 1, line 22.

**Strike:** "GARAGE"

**Insert:** "GENERAL"

4. Title, page 1, line 24.

**Strike:** "GARAGE"

**Insert:** "GENERAL"

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5. Page 2, line 20.

**Strike:** "garage"

**Insert:** "general"

6. Page 2, line 22.

**Strike:** "garage"

**Insert:** "general"

7. Page 2, line 25.

**Strike:** "garage"

**Insert:** "general"

8. Page 2, line 29.

**Strike:** "garage"

**Insert:** "general"

9. Page 3, line 3.

**Strike:** "or lienholder"

10. Page 3, line 5.

**Strike:** "or lienholder"

11. Page 3, line 6.

**Following:** "satisfy the"

**Insert:** "perfected"

**Following:** "interest"

**Strike:** "or lien"

12. Page 3, line 12.

**Strike:** "or lienholder"

13. Page 3, lines 13 and 14.

**Following:** "satisfy the"

**Insert:** "perfected"

**Following:** "interest"

**Strike:** "or lien"

14. Page 3, line 16.

**Strike:** "or lienholder"

15. Page 3, line 17.

**Strike:** "deliver"

**Insert:** "forward"

**Following:** "executed"

**Strike:** "lien"

16. Page 3, line 18.

**Strike:** "1 business day"

**Insert:** "15 business days"



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17. Page 3, line 20.

**Strike:** "3"

**Insert:** "18"

18. Page 3, line 22.

**Strike:** "6"

**Insert:** "21"

19. Page 5, line 25.

**Strike:** "garage"

**Insert:** "general"

20. Page 9, line 20.

**Strike:** "or lienholder"

21. Page 13, line 20.

**Strike:** "\$35,000"

**Insert:** "\$50,000"

22. Page 17, line 9.

**Strike:** "garage"

**Insert:** "general"

23. Page 17, line 13.

**Strike:** "garage"

**Insert:** "general"

24. Page 17, line 16 through line 17.

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

**Renumber:** subsequent subsection

25. Page 18, line 3.

**Strike:** "garage"

**Insert:** "general"

26. Page 21, line 1.

**Strike:** "garage"

**Insert:** "general"

27. Page 21, line 8.

**Strike:** "\$35,000"

**Insert:** "\$50,000"

28. Page 21, line 27 through line 30.

**Strike:** "fails" on line 27 through "term" on line 30

**Insert:** "cannot, under penalty of law, certify the number of vehicle sales required under subsection (5)(c) shall pay a fee of \$25 in addition to the fees required in subsection (3)"

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And, as amended, do pass. Report adopted.

**JOINT SELECT COMMITTEE ON DISTRICTING AND APPORTIONMENT** (Barkus, Chairman): 2/1/2003  
**SB 258**, be concurred in. Report adopted.

**JUDICIARY** (Shockley, Chairman): 1/31/2003  
**HB 211**, introduced bill, be amended as follows:

1. Title, page 1, line 9.

**Strike:** "AUTHORIZING TELEPHONE CONFERENCE HEARINGS;"

2. Page 3, line 19.

**Following:** "reviews"

**Insert:** "and administrative reviews"

3. Page 3, line 21.

**Strike:** "or"

**Insert:** "and may hold an administrative review via"

4. Page 4, line 25.

**Following:** "victim."

**Insert:** "A victim's statement may also include but is not limited to the circumstances surrounding the crime, the manner in which the crime was committed, and the victim's opinion as to whether the prisoner should be paroled. The victim's statement may be kept confidential."

5. Page 6, line 6.

**Strike:** "and telephone conference"

**Following:** the second "hearings,"

**Insert:** "telephone conference administrative reviews,"

And, as amended, do pass. Report adopted.

**HB 247**, introduced bill, be amended as follows:

1. Page 2, line 15.

**Strike:** "concerning"

**Insert:** "prohibiting or penalizing"

2. Page 3, line 1.

**Following:** "loitering"

**Insert:** "and prevent disorderly persons from loitering"

And, as amended, do pass. Report adopted.

**HB 293**, do pass. Report adopted.

**HB 308**, do pass. Report adopted.

**TRANSPORTATION** (Waitschies, Chairman): 1/31/2003  
**HB 185**, introduced bill, be amended as follows:

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1. Title, line 7.

**Strike:** ", THE USA PATRIOT ACT,"

2. Title, line 13 through line 15.

**Strike:** "REVISING" on line 13 through "LICENSE;" on line 15

3. Title, line 22 through line 23.

**Strike:** "IN" on line 22 through "AND" on line 23

4. Title, line 27.

**Strike:** "EFFECTIVE DATES AND"

5. Page 3, line 15.

**Following:** "61-9-402;"

**Insert:** "and"

6. Page 3, lines 16 and 17.

**Strike:** "and" on line 16 through ";" on line 17

7. Page 9, line 29.

**Following:** "rulemaking" on page 9

**Insert:** "-- reciprocity agreements"

**Following:** "."

**Insert:** "(1)"

8. Page 10, line 3.

**Strike:** "(1)"

**Insert:** "(a)"

**Renumber:** subsequent subsections

9. Page 10, line 14.

**Following:** "½"

**Insert:** "and"

10. Page 10, line 16 through line 18.

**Strike:** "½" on line 16 through "endorsement" on line 18

**Insert:** "(2) The department is authorized to enter into reciprocal agreements with adjacent states that would allow certain drivers of vehicles transporting farm products, farm machinery, or farm supplies within 150 miles of a farm to operate without a commercial driver's license as provided in 61-1-134(2)."

11. Page 16, lines 8 and 9.

**Strike:** "or" on line 8 through "vehicle" on line 9

12. Page 20.

**Following:** line 20

**Insert:** "NEW SECTION. Section 22. Coordination instruction. If Senate Bill No. 13 and [this act] are both passed and approved, then the number 0.10 in [section 14(2)(b)(i)], amending 61-8-802, must be replaced by the number 0.08."

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**Renumber:** subsequent sections

13. Page 20, line 22 through line 24.

**Strike:** section 22 in its entirety

**Renumber:** subsequent section

14. Page 20, line 27.

**Strike:** "[the effective date of sections 4 through 6]"

**Insert:** "October 1, 2003"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

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

1/31/2003

**SB 16**, introduced by Mangan

**SB 95**, introduced by Stonington

**SB 142**, introduced by McNutt

**SB 145**, introduced by Bohlinger

**SB 173**, introduced by McNutt

**SB 257**, introduced by Cooney

**MESSAGES FROM THE GOVERNOR**

January 31, 2003

The Honorable Doug Mood  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 1** sponsored by Representative Lewis on January 31, 2003.

Sincerely,

JUDY MARTZ  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 496**, introduced by Becker, Harris, Newman, referred to Judiciary.

**HB 497**, introduced by Mendenhall, Grimes, Laszloffy, Sinrud, referred to Local Government.

**HB 498**, introduced by Wanzenried, Becker, Bixby, Bohlinger, Branae, Buzzas, Carney, Cobb, Cohenour, Cyr,

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Dowell, Ellingson, Erickson, Franklin, Gallik, Gillan, Jacobson, Jayne, Juneau, Keane, Laslovich, Lenhart, Lindeen, Newman, Parker, Raser, Smith, Squires, Toole, Wilson, referred to Federal Relations, Energy, and Telecommunications.

**HB 499**, introduced by Franklin, referred to State Administration.

**HB 500**, introduced by Dowell, Bohlinger, Glaser, Golie, Haines, Harris, Laslovich, Mangan, Younkin, referred to Judiciary.

**HB 501**, introduced by Noennig, referred to Business and Labor.

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

**SB 13**, introduced by Mahlum (by request of the Department of Transportation), referred to Judiciary.

Majority Leader Brown moved that the House recess until 9:45 a.m. for caucuses. Motion carried.

House recessed at 9:25 a.m.

House reconvened at 9:45 a.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 Raser in the chair.

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

**HB 14** - Representative Shockley moved **HB 14** do pass. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Dowell, Everett, Fisher, Forrester, Franklin, Fuchs, Gillan, Golie, Haines, Harris, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lenhart, Lewis, Maedje, McKenney, Morgan, Newman, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Younkin, Mr. Speaker.

Total 55

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lindeen, Malcolm, Matthews, Mendenhall, Musgrove, Noennig, Raser, Ryan, Small-Eastman, Wanzenried, Weiss, Windy Boy, Witt.

Total 45

Voted Absentee: Bitney, Everett, Peterson, Ayes; Buzzas, No.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

**HB 20** - Representative Golie moved **HB 20** do pass. Motion carried as follows:

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

Total 88

Noes: Andersen, Bookout-Reinicke, E. Clark, Devlin, Erickson, Fisher, Jayne, A. Olson, Ripley, Ross, Steinbeisser, Stoker.

Total 12

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 30** - Representative Hurwitz moved **HB 30** do pass. Motion carried as follows:

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

Total 96

Noes: D. Brown, Fuchs, Wanzenried.

Total 3

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Jent.

Total 1

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**HB 32** - Representative Golie moved **HB 32** do pass. Motion carried as follows:

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

Total 83

Noes: Bixby, Cyr, Erickson, Gallik, Gutsche, Harris, Jayne, Juneau, Kaufmann, Malcolm, Musgrove, Small-Eastman, Wanzenried, Wilson, Windy Boy.

Total 15

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Franklin.

Total 2

**HB 71** - Representative Waitschies moved **HB 71** do pass. Motion carried as follows:

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

Total 92

Noes: D. Brown, Forrester, Jayne, Laslovich, Lewis, Pattison, Ripley, Witt.

Total 8

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 80** - Representative Jackson moved **HB 80** do pass. Motion carried as follows:

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

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Brown, Brueggeman, Buzzas, E. Clark, P. Clark, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Fuchs, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.

Total 76

Noes: Becker, Callahan, Carney, Cohenour, Cyr, Dowell, Erickson, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Harris, Kaufmann, Keane, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Windy Boy.

Total 23

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Juneau.

Total 1

**HB 87** - Representative Jent moved **HB 87** 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: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 114** - Representative Jent moved **HB 114** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche,



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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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 96

Noes: Balyeat, Sales.  
Total 2

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Dickenson, Franklin.  
Total 2

**HB 115** - Representative Bookout-Reinicke moved **HB 115** 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, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.  
Total 93

Noes: Brueggeman, Fuchs, Kasten, Pattison, Mr. Speaker.  
Total 5

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Lewis, Shockley.  
Total 2

**HB 135** - Representative Andersen moved **HB 135** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, 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, Peterson,

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Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 94

Noes: Balyeat, Brueggeman, Pattison, Sales, Sinrud, Small-Eastman.  
Total 6

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 137** - Representative Lange moved **HB 137** 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, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Stoker.  
Total 1

**HB 143** - Representative Lambert moved **HB 143** 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, Fritz, Fuchs, 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, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr.

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Speaker.  
Total 97

Noes: Gallik.  
Total 1

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Franklin, Ryan.  
Total 2

**HB 154** - Representative Lenhart moved **HB 154** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Voted Absentee: Bitney, Buzzas, Everett, Peterson, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Lindeen excused at this time.

**HB 155** - Representative Jent moved **HB 155** 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, 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,

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Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Bitney, Buzzas, Everett, Lindeen, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Laszloffy.

Total 1

**HB 195** - Representative Younkin moved **HB 195** 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, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 89

Noes: Bixby, Fisher, Fuchs, Jayne, Juneau, Lambert, Rice, Ryan, Witt.

Total 9

Voted Absentee: Bitney, Buzzas, Everett, Lindeen, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Maedje, Sales.

Total 2

**HB 213** - Representative Gallik moved **HB 213** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, 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.

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Total 99

Noes: None.

Total 0

Voted Absentee: Bitney, Buzzas, Everett, Lindeen, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Bergren.

Total 1

**HB 220** - Representative Laszloffy moved **HB 220** do pass.

Representative Laszloffy moved **HB 220**, second reading copy, be amended as follows :

1. Title, page 1, line 8.

**Following:** "ENTITY"

**Insert:** "OR GOVERNMENTAL AGENCY"

2. Page 8, line 25.

**Strike:** "court"

**Insert:** "department of corrections"

3. Page 8, line 26.

**Following:** "shall"

**Insert:** ", pursuant to an agreement made under 46-18-241,"

4. Page 8, line 28.

**Following:** "victim."

**Insert:** "The department of revenue may charge the department of corrections a fee to recover its costs of intercepting a tax refund. The fee may not exceed the amount charged a state agency for debt collection services under Title 17, chapter 4."

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, 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, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Balyeat, Jayne, Small-Eastman.

Total 3

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Voted Absentee: Peterson, Aye.

Excused: Bitney, Buzzas, Everett, Lindeen.

Total 4

Absent or not voting: None.

Total 0

Motion that **HB 220**, as amended, do pass carried as follows:

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

Total 96

Noes: Bixby, Jayne, Juneau, Small-Eastman.

Total 4

Voted Absentee: Bitney, Buzzas, Everett, Lindeen, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 223** - Representative Lawson moved **HB 223** do pass.

Representative Lawson moved **HB 223**, second reading copy, be amended as follows :

1. Title, page 1, line 7 through line 8.

**Strike:** "PROHIBITING" on line 7 through "GOVERNMENT;" on line 8

2. Page 4, line 28 through page 5, line 2.

**Strike:** "(5)" on page 4, line 28 through "GOVERNMENT." on page 5, line 2

Amendment adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, 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, Laslovich, Lawson, McKenney, Musgrove, Newman, Noennig, B. Olson, Parker, Peterson, Raser, Roberts, Small-Eastman, Smith, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.

Total 51

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Noes: Andersen, Balyeat, Barrett, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, Mendenhall, Morgan, A. Olson, Pattison, Rice, Ripley, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Wagman, Witt, Mr. Speaker.  
Total 45

Voted Absentee: Peterson, Aye.

Excused: Bitney, Buzzas, Everett, Lindeen.  
Total 4

Absent or not voting: None.  
Total 0

Representative Harris moved **HB 223**, second reading copy, be further amended as follows :

1. Page 4, line 11 through line 24.

**Strike:** subsections (1) through (3) in their entirety

**Insert:** "(1) State land may be sold to any person who is 18 years of age or older or any governmental or private entity including tribal governments as defined in 18-11-102."

**Renumber:** subsequent subsections

Amendment adopted as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Ryan, Schrupf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Weiss, Wilson, Younkin, Mr. Speaker.  
Total 72

Noes: Andersen, D. Brown, E. Clark, Devlin, Fuchs, Jackson, Kasten, Lake, Lange, Lewis, Malcolm, Pattison, Rice, Ripley, Rome, Sales, Sinrud, Waitschies, Windy Boy, Witt.  
Total 20

Voted Absentee: Peterson, Aye.

Excused: Bitney, Buzzas, Everett, Lindeen.  
Total 4

Absent or not voting: Balyeat, R. Brown, Shockley, Wagman.  
Total 4

Motion that **HB 223**, as amended, do pass.

Representative Branae excused at this time.

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Representative Kasten moved consideration of **HB 223** be passed for the day. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Callahan, E. Clark, Devlin, Fisher, Forrester, Fuchs, Gillan, Golie, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, A. Olson, Pattison, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin.

Total 51

Noes: Ballantyne, Becker, Bixby, Bookout-Reinicke, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lawson, Lenhart, Morgan, Musgrove, Newman, Noennig, B. Olson, Parker, Raser, Ryan, Smith, Wanzenried, Weiss, Wilson.

Total 41

Excused: Bitney, Branae, Buzzas, Everett, Lindeen, Peterson.

Total 6

Absent or not voting: Brueggeman, Mr. Speaker.

Total 2

**HB 237** - Representative Brueggeman moved **HB 237** do pass.

Representative Balyeat moved **HB 237**, second reading copy, be amended as follows :

1. Title, line 4.

**Strike:** "REQUIRING" through "WITH"

**Insert:** "PROHIBITING A PERSON FROM USING"

2. Title, line 5.

**Strike:** "TO HAVE"

**Insert:** "ON A COMMERCIAL MOTOR VEHICLE UNLESS IT HAS"

3. Page 1, lines 10 and 11.

**Strike:** "COMMERCIAL" on line 10 through "with" on line 11

**Insert:** "person may not use"

4. Page 1, line 11.

**Strike:** "must be"

**Insert:** "while operating a commercial motor vehicle, as defined in 61-1-134, unless the vehicle is"

Amendment **not** adopted as follows:

Ayes: Balyeat, R. Brown, Dowell, Fuchs, Gallik, Golie, Hawk, Jackson, Jayne, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Maedje, Mendenhall, Morgan, Pattison, Peterson, Rice, Sales, Shockley, Sinrud, Smith, Wagman, Younkin.

Total 27

Noes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, D. Brown, Brueggeman,



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Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Facey, Fisher, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kaufmann, Keane, Lawson, Lehman, Lenhart, Lewis, Malcolm, Matthews, McKenney, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Small-Eastman, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt.  
Total 65

Voted Absentee: Peterson, Aye.

Excused: Bitney, Branae, Buzzas, Everett, Forrester, Gillan, Lindeen.  
Total 7

Absent or not voting: Mr. Speaker.  
Total 1

Representatives Forrester and Gillan excused at this time.

Motion that **HB 237** do pass carried as follows:

Ayes: Andersen, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Carney, E. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kaufmann, Lake, Lambert, Lange, 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, Schrumpf, Small-Eastman, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Younkin, Mr. Speaker.  
Total 69

Noes: Ballantyne, Balyeat, Bergren, R. Brown, Buzzas, Callahan, P. Clark, Dickenson, Forrester, Franklin, Fuchs, Gillan, Golie, Hawk, Jackson, Jayne, Kasten, Keane, Laslovich, Maedje, Pattison, Rice, Ryan, Sales, Shockley, Sinrud, Smith, Wagman, Wilson, Windy Boy, Witt.  
Total 31

Voted Absentee: Bitney, Branae, Everett, Lindeen, Peterson, Ayes; Buzzas, Forrester, Gillan, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 240** - Representative Shockley moved **HB 240** 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, 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, Schrumpf, Shockley, Sinrud,

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

Total 98

Noes: Gallus.

Total 1

Voted Absentee: Bitney, Branae, Buzzas, Everett, Forrester, Gillan, Lindeen, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

**HB 250** - Representative Morgan moved **HB 250** do pass. Motion carried as follows:

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

Total 99

Noes: None.

Total 0

Voted Absentee: Bitney, Branae, Buzzas, Everett, Forrester, Gillan, Lindeen, Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Carney.

Total 1

**HB 251** - Representative Balyeat moved **HB 251** do pass. Motion carried as follows:

Ayes: Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, P. Clark, Cohenour, Cyr, Dickenson, Everett, Forrester, Franklin, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Keane, Laslovich, Lehman, Lewis, Lindeen, Malcolm, Mendenhall, Morgan, Newman, Pattison, Peterson, Rice, Ryan, Sales, Schruppf, Shockley, Sinrud, Wagman, Waitschies, Weiss, Windy Boy, Younkin, Mr. Speaker.

Total 51

Noes: Andersen, Bergren, R. Brown, Buzzas, Callahan, Carney, E. Clark, Devlin, Dowell, Erickson, Facey, Fisher,

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Fritz, Galvin-Halcro, Gutsche, Haines, Harris, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laszloffy, Lawson, Lenhart, Maedje, Matthews, McKenney, Musgrove, Noennig, A. Olson, B. Olson, Parker, Raser, Ripley, Roberts, Rome, Ross, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Wilson, Witt.

Total 49

Voted Absentee: Bitney, Branae, Everett, Forrester, Gillan, Lindeen, Peterson, Ayes; Buzzas, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Weiss excused at this time.

**HB 259** - Representative Maedje moved **HB 259** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dowell, Everett, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, 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, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 87

Noes: P. Clark, Dickenson, Erickson, Fisher, Franklin, Gutsche, Haines, Jayne, Kaufmann, Lawson, Newman, Wanzenried.

Total 12

Voted Absentee: Bitney, Branae, Buzzas, Everett, Forrester, Gillan, Lindeen, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: Balyeat.

Total 1

**HB 266** - Representative Jacobson moved **HB 266** do pass. Motion carried as follows:

Ayes: Ballantyne, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hawk, Jacobson, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, Mendenhall, Musgrove, Newman, B. Olson, Peterson, Raser, Roberts, Ryan, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 68

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Noes: Andersen, Balyeat, Barrett, Bergren, E. Clark, Devlin, Fisher, Fuchs, Haines, Hedges, Hurwitz, Jackson, Jayne, Kasten, Lake, Lawson, Lehman, McKenney, Morgan, Noennig, A. Olson, Parker, Pattison, Rice, Ripley, Rome, Ross, Sales, Small-Eastman, Smith, Waitschies, Witt.

Total 32

Voted Absentee: Bitney, Branae, Buzzas, Everett, Forrester, Gillan, Lindeen, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 280** - Representative R. Brown moved consideration of **HB 280** be passed for the day. Motion carried.

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

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Younkin, Mr. Speaker.

Total 82

Noes: Cyr, Fuchs, Golie, Jayne, Ryan, Smith, Windy Boy.

Total 7

Excused: Bitney, Branae, Buzzas, Everett, Forrester, Gillan, Lindeen, Peterson, Weiss.

Total 9

Absent or not voting: Gallus, Witt.

Total 2

### MOTIONS

Representative R. Brown moved **HB 497** be taken from the Committee on Local Government and be rereferred to the Committee on Judiciary. There being no objection, so ordered.

### SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HJR 6**: Andersen, Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Callahan, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney,

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Mendenhall, Mood, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Monday, February 3, 2003. Motion carried.

House adjourned at 1:40 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House