

**HOUSE JOURNAL
58TH LEGISLATURE
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 17, 2003

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Jackson.

Posting of the colors by the Boy Scout Troop 4 of Great Falls. Pledge of Allegiance to the Flag followed..

Roll Call. All members present, except Representatives Facey and Parker, excused. Quorum present.

The Speaker introduced the recently appointed Consul General Christopher Thomson, a career diplomat with Canada's Department of Foreign Affairs and International Trade. He will serve at the mission in Minneapolis, one of eleven Canadian foreign missions in the United States. As Consul General, Thomson will be responsible for the conduct of Canada's bilateral relationships with eight Midwest and Rocky Mountain states, including Montana. Consul General Thomson then delivered his speech.

Representative Sinrud introduced the Heritage Signers from the Heritage Christian School and their teacher Wendy Thiesen. These 15 students ranging from 4th to 8th grade have dedicated their time and effort to communicate with the hearing impaired and have performed for the Montana Special Olympics, Montana State Senate, the Governor's Prayer Breakfast, the Big Sky State Games, and the Montana School for the Deaf and Blind. The signers performed two songs for the House.

The Speaker introduced the 16th President of the United States, the honorable Abraham Lincoln. President Lincoln visits the capitol of Montana on the day the Territory has set aside to celebrate his 194th birthday, Monday, February 17, 2003. The President shared a few thoughts with the Territorial House. President Lincoln was performed by Representative Nancy Fritz's husband, Harry Fritz.

Mr. Speaker introduced the pages of the week:

Mike Corr, Missoula
Tyler Crennen, Billings
Patrick Murphy, Helena
Ann Mary Olson, Wolf Point
Ashlee Robison, Butte
Michael Sherwood, Helena
AshLee Strong, Billings
Dusty Lindeen, Huntley

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman):

2/17/2003

Correctly printed: **HB 577**.

Correctly engrossed: **HB 455**.

Correctly enrolled: **HB 93, HB 168, HB 208, HB 209, HB 233**.

Examined by the sponsor and found to be correct: **HB 93, HB 168, HB 208, HB 209, HB 233,**

HR 2.

Signed by the Speaker at 8:40 a.m., February 17, 2003: **HB 93, HB 168, HB 208, HB 209, HB 233**.

Signed by the Speaker at 10:20 a.m., February 17, 2003: **HR 2**.

Delivered to the Governor for approval at 7:40 a.m., February 17, 2003: **HB 47, HB 88, HB 96,**

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HB 115, HB 143.

Delivered to the Secretary of State at 11:15 a.m., February 17, 2003: **HR 2.**

APPROPRIATIONS (Lewis, Chairman):
HB 363, introduced bill, be amended as follows:

2/17/2003

1. Title, page 1, line 9.

Following: "1990;"

Insert: "TRANSFERRING TO THE GENERAL FUND MONEY FROM CLAIMS OCCURRING BEFORE JULY 1, 1990;"

2. Title, page 1, line 10.

Following: "FUND"

Strike: "AND THE TEACHER SIGNING BONUS PROGRAM"

3. Page 2, line 13.

Strike: "and"

4. Page 2, line 14.

Following: "20-9-543"

Insert: "; and

(iii) the amount of \$9,178,000 must be transferred to the general fund to be set aside as unreserved designated fund balance in the general fund to mitigate the general fund cost of workforce reductions"

5. Page 2, line 30.

Strike: "\$2 million"

Insert: "\$3,522,295"

Following: "fund"

Insert: "to be set aside as unreserved designated fund balance in the general fund to mitigate the general fund cost of workforce reductions"

6. Page 3, line 1 through line 2.

Strike: "teacher" on line 1 through "1542]" on line 2

Insert: "state general fund"

7. Page 3, line 4 through line 8.

Strike: section 3 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TAXATION (Fuchs, Chairman):
HB 381, introduced bill, be amended as follows:

2/17/2003

1. Title, page 1, line 11.

Strike: "WITH THE ENACTMENT OF"

Insert: "BY"

Following: "OF A"

Insert: "GENERAL STATEWIDE"

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2. Page 1, line 26.

Strike: "with the enactment of"

Insert: "by"

Following: "a"

Insert: "general"

3. Page 1, line 28.

Strike: "with the enactment of"

Insert: "by"

Following: "a"

Insert: "general"

And, as amended, do pass. Report adopted.

HB 429, do pass. Report adopted.

TRANSPORTATION (Waitschies, Chairman):
HB 458, introduced bill, be amended as follows:

2/15/2003

1. Title, lines 4 and 5.

Strike: "THE" on line 4 through "TO" on line 5

Strike: "WHO COMBINES" on line 5

Insert: "TO COMBINE"

2. Title, line 6.

Strike: "THE APPLICATION FOR THE DECAL WITH"

Following: "PLATE"

Insert: "WITH AN APPLICATION FOR A LICENSE PLATE BEARING THE SYMBOL OF A PERSON WITH A
DISABILITY"

3. Title, line 7 through line 9.

Strike: "PROVIDING" on line 7 through "61-3-426" on line 9

Insert: "AND AMENDING SECTION 61-3-479"

4. Page 1, line 13 through page 18, line 30.

Strike: everything after the enacting clause

Insert: "**Section 1.** Section 61-3-479, MCA, is amended to read:

"61-3-479. (Temporary) Special certificate of registration and issuance of generic specialty license plates -- qualifications. (1) The department shall issue a special certificate of registration and generic specialty license plates to a person who applies if the person presents written certification, in a form prescribed by the department, from the sponsoring organization indicating that the person is eligible to receive the generic specialty license plates.

(2) If the sponsor is a governmental body that has a written agreement with the county treasurer pursuant to 61-3-480, the department shall issue a special certificate of registration and generic specialty license plates to an eligible person who applies if the person pays the donation specified by the governmental body to the county treasurer at the time of application.

(3) A special certificate of registration and generic specialty license plates may be issued only for a light vehicle.

(4) The department may issue a special certificate of registration and generic specialty license plates to joint owners of a motor vehicle if one of the owners is determined by the sponsor to be eligible and if the eligible owner's name appears on the vehicle's special certificate of registration.

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(5) (a) Except as provided in 61-3-472 through 61-3-481, a person who receives a special certificate of registration and generic specialty license plates is subject to the same rules and laws as those that govern number plates.

(b) Except as provided in 61-3-472 through 61-3-481, the department is subject to the same rules and laws as govern the issuance of number plates.

(c) Generic specialty license plates issued under 61-3-472 through 61-3-481 are not subject to the maximum 4-year limitation provided in 61-3-332(3)(a).

(6) A person may combine an application for a generic specialty license plate with an application for a license plate with a design bearing a representation of a wheelchair as the symbol of a person with a disability as provided in 61-3-332(10)(g).(Terminates June 30, 2005--sec. 21, Ch. 402, L. 2001.)"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

HB 549, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/15/2003

SB 112, introduced by McCarthy
SB 190, introduced by Bohlinger
SB 191, introduced by O'Neil
SB 198, introduced by Stonington
SB 246, introduced by Glaser
SB 283, introduced by Wheat
SB 288, introduced by Mangan
SB 320, introduced by Tester
SB 328, introduced by Mangan
SB 334, introduced by Sprague

MESSAGES FROM THE GOVERNOR

February 13, 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 43** sponsored by Representative Cohenour, **House Bill 53** sponsored by Representative Newman, **House Bill 102** sponsored by Representative Cohenour, and **House Bill 162** sponsored by Representative Callahan on February 13, 2003.

Sincerely,

JUDY MARTZ
Governor

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February 14, 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 23** sponsored by Representative Matthews, **House Bill 35** sponsored by Representative Jacobson, **House Bill 44** sponsored by Representative Smith, and **House Bill 167** sponsored by Representative Schrupf on February 14, 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 658, introduced by Dowell, Shockley, referred to Transportation.

HB 659, introduced by Kaufmann, Becker, Small-Eastman, referred to Human Services.

HB 660, introduced by Buzzas, Branae, Carney, Cohenour, Cooney, Ellingson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Grimes, Haines, Harris, Hedges, Keane, Keenan, Kitzenberg, Lawson, Lenhart, Lewis, Mood, Newman, Parker, Shockley, Smith, Squires, Story, Tester, B. Thomas, Wilson, Witt, referred to Business and Labor.

HB 661, introduced by Barrett, referred to Fish, Wildlife and Parks.

HB 662, introduced by D. Brown, referred to State Administration.

HB 663, introduced by Laslovich, referred to Business and Labor.

HB 664, introduced by Bitney, referred to Transportation.

HB 665, introduced by Gallik, referred to Taxation.

HB 666, introduced by Gallik, referred to Federal Relations, Energy, and Telecommunications.

HB 667, introduced by Harris, Branae, Callahan, Cohenour, Cyr, Dowell, Erickson, Forrester, Fritz, Gallik, Gallus, Gibson, Gutsche, Jacobson, Jent, Laslovich, Lenhart, Mood, Raser, B. Ryan, Smith, Wanzenried, Weiss, Wilson, Windy Boy, referred to Business and Labor.

HB 668, introduced by Gallus, referred to Human Services.

HB 669, introduced by Younkin, referred to Natural Resources.

HB 670, introduced by Buzzas, referred to Judiciary.

HB 671, introduced by P. Clark, referred to Fish, Wildlife and Parks.

HB 672, introduced by Windy Boy, Ballantyne, Buzzas, Callahan, P. Clark, Cyr, Dickenson, Gibson, Jacobson, Jayne, Kitzenberg, Lambert, Lindeen, Musgrove, Pease, Raser, Roush, Small-Eastman, Smith, Wanzenried, referred to Business and Labor.

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

HJR 29, introduced by Gallus, R. Brown, Buzzas, Cohenour, Cooney, Dowell, Franklin, Gutsche, Hansen, Harris, Lawson, Lindeen, Newman, Parker, Schmidt, Wanzenried, Wilson, referred to Human Services.

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**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 Lehman in the chair.

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

HJR 8 - Representative Juneau moved **HJR 8** be adopted. 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, Facey, 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, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Everett, Hawk, A. Olson, Sales.

Total 4

Voted Absentee: Facey, Parker, Ayes.

Excused: None.

Total 0

Absent or not voting: Fisher, Lehman, Wagman.

Total 3

HB 97 - Representative Jent moved **HB 97** do pass. Motion carried as follows:

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

Total 89

Noes: Hawk, Jayne, Laszloffy, Mendenhall, Pattison, Rice, Ryan, Sinrud, Witt.

Total 9

Voted Absentee: Facey, Parker, Ayes.

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Excused: None.
Total 0

Absent or not voting: Gillan, Lehman.
Total 2

HB 262 - Representative Fuchs moved **HB 262** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Everett, Fisher, Forrester, Fuchs, Gallik, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.
Total 73

Noes: Becker, Branae, D. Brown, Buzzas, Carney, Cyr, Dowell, Erickson, Facey, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Musgrove, Parker, Wanzenried, Wilson, Windy Boy.
Total 25

Voted Absentee: Facey, Parker, Noes.

Excused: None.
Total 0

Absent or not voting: Lehman, Lindeen.
Total 2

HB 390 - Representative Gallik moved **HB 390** do pass. Motion carried as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, Parker, Peterson, Raser, Roberts, Ryan, Shockley, Small-Eastman, Smith, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 69

Noes: Andersen, Balyeat, Barrett, Bitney, D. Brown, R. Brown, E. Clark, Devlin, Fisher, Hawk, Hedges, Jayne, Kasten, Lawson, A. Olson, B. Olson, Pattison, Rice, Ripley, Rome, Ross, Sales, Schruppf, Sinrud, Steinbeisser, Stoker, Wagman, Waitschies, Witt.
Total 29

Voted Absentee: Facey, Parker, Ayes.

Excused: None.
Total 0

Absent or not voting: Fuchs, Laszloffy.

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Total 2

HB 395 - Representative R. Brown moved consideration of **HB 395** be passed for the day. Motion carried.

HB 443 - Representative Lange moved **HB 443** do pass. Motion carried as follows:

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

Total 57

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

Total 43

Voted Absentee: Facey, Parker, Noes.

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

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

Total 67

Noes: Becker, Bixby, Branae, Buzzas, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Fritz, Galvin-Halcro, Golie, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Windy Boy.

Total 31

Excused: Facey, Parker.

Total 2

Absent or not voting: None.

Total 0

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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 277 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kaufmann, Lake, Lange, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 71

Noes: Bixby, R. Brown, Buzzas, P. Clark, Cyr, Franklin, Fuchs, Gallus, Gillan, Jacobson, Jent, Juneau, Kasten, Keane, Lambert, Laszloffy, Lewis, Maedje, Musgrove, Newman, A. Olson, Rome, Ross, Sales, Sinrud, Wagman.
Total 26

Excused: Facey, Parker.
Total 2

Absent or not voting: Balyeat.
Total 1

HB 373 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Forrester, Fuchs, Gallus, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, 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, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 64

Noes: Becker, Bixby, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Raser, Sales, Shockley, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.
Total 32

Excused: Facey, Parker.
Total 2

Absent or not voting: Balyeat, Fisher.
Total 2

HB 427 passed as follows:

Ayes: Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas,

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Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Peterson, Raser, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 73

Noes: Andersen, Barrett, D. Brown, E. Clark, Devlin, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lambert, Lange, Maedje, B. Olson, Pattison, Rice, Ripley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt.

Total 24

Excused: Facey, Parker.

Total 2

Absent or not voting: Balyeat.

Total 1

HB 435 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cyr, Dickenson, Dowell, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 80

Noes: Becker, Bergren, Buzzas, Callahan, Cohenour, Devlin, Erickson, Galvin-Halcro, Kaufmann, Keane, Lindeen, Musgrove, Roberts, Ryan, Small-Eastman, Smith.

Total 16

Excused: Facey, Parker.

Total 2

Absent or not voting: Balyeat, Juneau.

Total 2

HB 436 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, 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, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

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Total 97

Noes: None.

Total 0

Excused: Facey, Parker.

Total 2

Absent or not voting: Balyeat.

Total 1

HB 451 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Cyr, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Fritz, Fuchs, Gallus, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Thomas, Wagman, Waitschies, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

Total 77

Noes: Branae, Buzzas, Carney, P. Clark, Cohenour, Erickson, Franklin, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Jacobson, Jayne, Kaufmann, Lindeen, Raser, Wanzenried, Windy Boy.

Total 19

Excused: Facey, Parker.

Total 2

Absent or not voting: Balyeat, Stoker.

Total 2

HB 456 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, 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, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Facey, Parker.

Total 2

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Absent or not voting: Balyeat.
Total 1

HB 471 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Fuchs.
Total 1

Excused: Facey, Parker.
Total 2

Absent or not voting: Balyeat.
Total 1

HB 478 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Franklin, Gallus, Galvin-Halcro, Golie, Jayne, Wilson, Windy Boy.
Total 7

Excused: Facey, Parker.
Total 2

Absent or not voting: Balyeat.
Total 1

HB 521 passed as follows:

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

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Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Buzzas, Dickenson, Erickson, Franklin, Galvin-Halcro, Jayne, Kaufmann, Lindeen, Wilson.
Total 9

Excused: Facey, Parker.
Total 2

Absent or not voting: Balyeat.
Total 1

HB 525 passed 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, 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, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Bixby, Lawson.
Total 2

Excused: Facey, Parker.
Total 2

Absent or not voting: None.
Total 0

HB 555 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, 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, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

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Noes: Kasten, Pattison, Ross, Waitschies.
Total 4

Excused: Facey, Parker.
Total 2

Absent or not voting: None.
Total 0

HJR 3 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, 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, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Facey, Parker.
Total 2

Absent or not voting: Schrupf.
Total 1

HJR 4 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, 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, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Facey, Parker.
Total 2

Absent or not voting: None.

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Total 0

HJR 10 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, 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, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Facey, Parker.

Total 2

Absent or not voting: None.

Total 0

HJR 15 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, Devlin, Everett, Forrester, Franklin, Fuchs, Gallus, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, 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, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.

Total 75

Noes: Becker, Bixby, Buzzas, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Fritz, Gallik, Galvin-Halcro, Gutsche, Harris, Jayne, Juneau, Kaufmann, Wanzenried, Weiss, Windy Boy.

Total 21

Excused: Facey, Parker.

Total 2

Absent or not voting: Fisher, Sales.

Total 2

HJR 20 adopted as follows:

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

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Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Golie, Jayne.
Total 2

Excused: Facey, Parker.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Representative R. Brown moved **HB 658** be taken from the Committee on Transportation and be rereferred to the Committee on Judiciary. There being no objection, so ordered.

Representative R. Brown moved **HB 645** be taken from the Committee on Local Government and be rereferred to the Committee on State Administration. There being no objection, so ordered.

Representative R. Brown moved **HJR 25** be taken from the Committee on Local Government and be rereferred to the Committee on State Administration. There being no objection, so ordered.

Representative R. Brown moved **HJR 28** be taken from the Committee on Local Government and be rereferred to the Committee on State Administration. There being no objection, so ordered.

Representative Dowell requested on **HB 443** that the proxy votes for Representative Facey and Parker, second reading this day, be changed from no to yes. There being no objection, so ordered.

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 640**: Wanzenried.

The following bills were **removed** from the consent calendar: **HB 408, HB 539, SB 195**.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Tuesday, February 18, 2003. Motion carried.

House adjourned at 3:17 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House