

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

Helena, Montana
February 21, 2003

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Gibson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Gillan, Hurwitz, and Jent, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 2/21/2003
Correctly printed: **HB 382, HB 556, HB 557, HB 561, HB 585, HB 591, HB 615, HB 635, HB 639, HB 647.**
Correctly engrossed: **HB 74, HB 189, HB 302, HB 327, HB 370, HB 481, HB 482, HB 484, HB 493, HB 509, HB 527, HB 531, HB 540, HB 563, HB 569, HB 571, HB 572, HB 573, HB 608, HB 619, HB 636, HB 689.**
Correctly enrolled: **HB 22, HB 51, HB 80, HB 112, HB 121, HB 151, HB 406, HJR 6.**
Examined by the sponsor and found to be correct: **HB 22, HB 51, HB 80, HB 112, HB 121, HB 151, HB 406, HJR 6.**
Signed by the Speaker at 12:15 p.m., February 21, 2003: **HB 22, HB 51, HB 80, HB 112, HB 121, HB 151, HB 406, HJR 6.**

AGRICULTURE (Rice, Chairman): 2/21/2003
HB 644, introduced bill, do pass and be placed on the consent calendar. Report adopted.
HB 653, introduced bill, be amended as follows:

1. Page 1, line 3.
Insert: "By request of the House Agriculture Standing Committee"

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

LOCAL GOVERNMENT (Noennig, Chairman): 2/21/2003
HB 357, introduced bill, be amended as follows:

1. Title, line 5.
Following: "PROGRAM;"
Strike: "AND"

2. Title, line 8.
Following: "LOANS"
Insert: "; AND REQUIRING THE OFFICER TO CONTRACT WITH A HISTORICAL ARCHITECT"

3. Page 1, line 12.
Following: "courthouses."
Insert: "(1)"

4. Page 1, line 16.
Strike: "(1)"
Insert: "(a)"

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5. Page 1, line 18.

Strike: "(2)"

Insert: "(b)"

6. Page 1, line 19.

Strike: "(3)"

Insert: "(c)"

7. Page 1, line 20.

Strike: "(4)"

Insert: "(d)"

8. Page 1.

Following: line 21

Insert: "(2) The historic preservation officer shall contract with a historical architect to assist counties in restoring and rehabilitating county courthouses. The contract may not exceed \$72,000."

And, as amended, do pass. Report adopted.

HB 441, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "SECTION"

Insert: "SECTIONS 15-16-102 AND"

2. Page 1.

Following: line 8

Insert: "**Section 1.** Section 15-16-102, MCA, is amended to read:

"15-16-102. Time for payment -- penalty for delinquency. Unless suspended or canceled under the provisions of Title 15, chapter 24, part 17, all taxes levied and assessed in the state of Montana, except assessments made for special improvements in cities and towns payable under 15-16-103, are payable as follows:

(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.

(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month from and after the delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

(b) If taxes on property qualifying under the low-income property tax assistance provisions of 15-6-134(1)(c) and 15-6-191 are paid within 20 calendar days of the date on which the taxes are due, the taxes may be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the penalty must be paid and interest accrues from the date on which the taxes were due.

(5) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full taxable years, provided that taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of

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the property tax lien for any delinquent tax year.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

(7) If the department revises an assessment that results in an additional tax of \$5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(8) The county treasurer may accept a partial payment of centrally assessed property taxes as provided in 76-3-207."

Renumber: subsequent section

3. Page 2, line 7.

Following: "(b)"

Insert: "(i)"

4. Page 2.

Following: line 9

Insert: "(ii) The county treasurer may accept the amount of the tax prorated pursuant to this subsection (3)(b) as a partial payment of the total tax that is due."

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

HB 512, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AFFECTED" through "CHANGE"

Insert: "TO BE ADDED TO THE PLANNING AND ZONING DISTRICT"

2. Page 1, line 11.

Strike: "affected" through "change"

Insert: "to be added to a planning and zoning district"

3. Page 1, line 13.

Following: "district."

Insert: "The area to be added must be adjacent to the planning and zoning district."

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

HB 583, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/20/2003

SB 183, introduced by Bohlinger

SB 235, introduced by Bohlinger

SB 243, introduced by Wheat

SB 247, introduced by Cobb

SB 344, introduced by Laible

SB 383, introduced by Bales

SB 398, introduced by Cromley

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FIRST READING AND COMMITMENT OF BILLS

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

HB 722, introduced by E. Clark, Cobb, referred to Appropriations.

HB 723, introduced by Musgrove, Brueggeman, Buzzas, Franklin, Hedges, Kasten, Lindeen, Pattison, Ripley, Sinrud, Witt, referred to Agriculture.

HB 724, introduced by Balyeat, Fuchs, referred to Appropriations.

HB 725, introduced by Maedje, Barrett, Curtiss, Everett, Lange, A. Olson, Pattison, Ripley, Rome, Sinrud, referred to Natural Resources.

HB 726, introduced by Kaufmann, referred to Human Services.

HB 727, introduced by E. Clark, Cobb, Keenan, Stonington, referred to Appropriations.

HB 728, introduced by Stoker, referred to Local Government.

HB 729, introduced by Laszloffy, Grimes, McGee, referred to Human Services.

HB 730, introduced by Pattison, Balyeat, Brueggeman, Everett, Lange, Laszloffy, Lewis, Maedje, Mendenhall, Schrupf, Sinrud, Stoker, Waitschies, referred to Judiciary.

HB 731, introduced by Lehman, referred to State Administration.

HB 732, introduced by Weiss, Cyr, Gallik, Keane, Lindeen, Newman, referred to Business and Labor.

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

HJR 34, introduced by Balyeat, Andersen, R. Brown, Brueggeman, Curtiss, Devlin, Forrester, Fuchs, Gebhardt, Jackson, Keenan, Lake, Lewis, McGee, Mood, Perry, Ripley, Sales, Sinrud, Sprague, Stoker, F. Thomas, Tropila, Waitschies, Witt, Younkin, referred to Taxation.

**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 Waitschies in the chair.

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

HB 358 - Representative Lange moved **HB 358** do pass.

Representative Lange moved **HB 358**, second reading copy, be amended as follows:

1. Page 3, line 5.

Following: "reimbursement"

Insert: "by the city in which the judge holds or will hold court"

2. Page 7, line 14.

Strike: ", upon finding compliance with 3-10-204(3),"

3. Page 7, line 25.

Following: "reimbursement"

Insert: "by the county in which the justice of the peace holds or will hold court"

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Amendment adopted as follows:

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

Total 85

Noes: Ballantyne, Cyr, Franklin, Galvin-Halcro, Kaufmann, Keane, Musgrove, Newman, Raser, Small-Eastman, Wanzenried.

Total 11

Excused: Gillan, Hurwitz, Jent.

Total 3

Absent or not voting: Ryan.

Total 1

Motion that **HB 358**, as amended, do pass carried as follows:

Ayes: Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jayne, Jent, Juneau, Kasten, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin.

Total 77

Noes: Andersen, Ballantyne, Bookout-Reinicke, Brueggeman, Cohenour, Cyr, Gallik, Golie, Jacobson, Kaufmann, Keane, Lambert, Lewis, Newman, Rice, Ryan, Small-Eastman, Smith, Wanzenried, Mr. Speaker.

Total 20

Voted Absentee: Gillan, Jent, Ayes.

Excused: Hurwitz.

Total 1

Absent or not voting: Everett, Fisher.

Total 2

Representative Hurwitz present at this time.

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HB 503 - Representative Balyeat moved **HB 503** do pass. Motion **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, Brueggeman, E. Clark, Devlin, Everett, Fuchs, Gutsche, Harris, Jackson, Kasten, Kaufmann, Laszloffy, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, Pattison, Peterson, Rice, Sales, Schruppf, Shockley, Sinrud, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 38

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Matthews, Musgrove, B. Olson, Parker, Raser, Ripley, Roberts, Rome, Ross, Ryan, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy.

Total 61

Voted Absentee: Gillan, Jent, Noes.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

HB 537 - Representative Lawson moved **HB 537** do pass. Motion carried as follows:

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

Total 88

Noes: Buzzas, Cohenour, Erickson, Fritz, Gallik, Galvin-Halcro, Gillan, Gutsche, Harris, Kaufmann, Malcolm, Weiss.

Total 12

Voted Absentee: Jent, Aye; Gillan, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 164 - Representative Facey moved **SB 164** be concurred in. 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, 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: Franklin.

Total 1

Voted Absentee: Gillan, Jent, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 367 - Representative Windy Boy moved **HB 367** do pass. Motion carried as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lenhart, Lindeen, Maedje, Matthews, Morgan, Musgrove, Newman, Noennig, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Ryan, Sales, Shockley, Sinrud, Small-Eastman, Smith, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.

Total 65

Noes: Andersen, Balyeat, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Laszloffy, Lehman, Lewis, Malcolm, McKenney, Mendenhall, A. Olson, Rice, Ripley, Rome, Ross, Schruppf, Steinbeisser, Stoker, Wagman, Waitschies, Witt, Mr. Speaker.

Total 35

Voted Absentee: Gillan, Jent, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 388 - Representative Lake moved **HB 388** 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, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 96

Noes: Balyeat, Forrester, Franklin.

Total 3

Voted Absentee: Jent, Aye.

Excused: Gillan.

Total 1

Absent or not voting: None.

Total 0

HB 499 - Representative Franklin moved **HB 499** 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, 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, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Hawk, A. Olson, Rice.

Total 3

Voted Absentee: Gillan, Jent, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 505 - Representative Gallus moved **HB 505** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, 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 89

Noes: Devlin, Fisher, Gallik, Haines, Hawk, Jent, Lake, Lambert, Mendenhall, Morgan.

Total 10

Voted Absentee: Gillan, Aye; Jent, No.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke.

Total 1

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

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jayne, 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, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Cohenour, Gallik, Golie, Jacobson, Kaufmann, Lindeen, Weiss.

Total 7

Excused: Gillan, Jent.

Total 2

Absent or not voting: Bookout-Reinicke, Buzzas, Hedges.

Total 3

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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 190 passed as follows:

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

Total 56

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

Total 40

Excused: Gillan, Jent.

Total 2

Absent or not voting: P. Clark, Ryan.

Total 2

HB 536 passed as follows:

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

Total 56

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

Total 42

Excused: Gillan, Jent.

Total 2

Absent or not voting: None.

Total 0

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MOTIONS

Representative R. Brown moved **HB 367** be taken from third reading and be rereferred to the Committee on Appropriations. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

The following bills were **placed** on the consent calendar: **HB 556, HB 591, HJR 19.**

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 8:00 a.m., Saturday, February 22, 2003. Motion carried.

House adjourned at 2:05 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House