

**HOUSE JOURNAL  
58TH LEGISLATURE  
FORTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
March 6, 2003

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Harris, Maedje, and Rice, excused. Quorum present.

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

Bookout-Reinicke, Chair

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (McKenney, Chairman): 3/6/2003  
**SB 40**, be concurred in. Report adopted.  
**SB 51**, be concurred in. Report adopted.

**EDUCATION** (Andersen, Chairman): 3/6/2003  
**SB 41**, be concurred in. Report adopted.  
**SB 42**, be concurred in. Report adopted.  
**SB 43**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Barrett, Chairman): 3/6/2003  
**SB 17**, be concurred in and be placed on the consent calendar. Report adopted.  
**SB 38**, be concurred in and be placed on the consent calendar. Report adopted.

**MESSAGES FROM THE GOVERNOR**

March 5, 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 108** sponsored by Representative A. Olson and **House Bill 181** sponsored by Representative B. Thomas on March 5, 2003.

Sincerely,

JUDY MARTZ  
Governor

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**FIRST READING AND COMMITMENT OF BILLS**

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

- SB 46**, introduced by Gebhardt, referred to Business and Labor.  
**SB 100**, introduced by Grimes (by request of the Department of Public Health and Human Services), referred to Human Services.  
**SB 101**, introduced by Mahlum, referred to Business and Labor.  
**SB 102**, introduced by McNutt (by request of the Department of Transportation), referred to Transportation.  
**SB 103**, introduced by Laible (by request of the Department of Environmental Quality), referred to Natural Resources.  
**SB 104**, introduced by Tester (by request of the Department of Public Health and Human Services), referred to Human Services.  
**SB 105**, introduced by Johnson (by request of the Department of Public Health and Human Services), referred to Human Services.  
**SB 107**, introduced by Roush, referred to Transportation.  
**SB 108**, introduced by McNutt (by request of the Department of Labor and Industry), referred to Business and Labor.  
**SB 109**, introduced by McNutt (by request of the Department of Labor and Industry), referred to Business and Labor.  
**SB 110**, introduced by Toole (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.  
**SB 111**, introduced by Nelson (by request of the State Auditor), referred to Human Services.  
**SB 112**, introduced by McCarthy, referred to Local Government.  
**SB 113**, introduced by Esp (by request of the Department of Public Health and Human Services), referred to Human Services.  
**SB 114**, introduced by Johnson, referred to Local Government.  
**SB 115**, introduced by Mahlum (by request of the Governor), referred to Business and Labor.  
**SB 117**, introduced by Cobb (by request of the Department of Administration), referred to State Administration.  
**SB 118**, introduced by DePratu (by request of the Department of Justice), referred to Transportation.  
**SB 120**, introduced by Glaser, referred to Education.  
**SB 121**, introduced by Glaser (by request of the Department of Revenue), referred to Taxation.  
**SB 122**, introduced by Tash (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.  
**SB 277**, introduced by Curtiss, referred to Federal Relations, Energy, and Telecommunications.

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

- SJR 20**, introduced by Mahlum, referred to Education.  
**SJR 21**, introduced by Cocchiarella, Andersen, Barkus, Bookout-Reinicke, Cooney, Cromley, DePratu, Ellingson, Elliott, Gillan, Glaser, Haines, Hansen, Harrington, Jacobson, Jayne, Kaufmann, Keenan, Kitzenberg, Mahlum, Mangan, McCarthy, McNutt, Nelson, A. Olson, Pattison, Pease, Roush, D. Ryan, Schmidt, Shea, Small-Eastman, Sprague, Squires, Stonington, Tester, F. Thomas, Toole, Tropila, Wheat, Witt, referred to Human Services.  
**SJR 24**, introduced by O'Neil, Barkus, Black, Butcher, Curtiss, Jackson, Juneau, Kitzenberg, Pease, Roush, referred to Federal Relations, Energy, and Telecommunications.  
**SJR 25**, introduced by Bohlinger (by request of the Senate Local Government Standing Committee), referred to Local Government.  
**SJR 26**, introduced by Bohlinger (by request of the Senate Local Government Standing Committee), referred to Local Government.  
**SJR 27**, introduced by Johnson, Mahlum, Toole (by request of the Senate Business and Labor Standing Committee), referred to State Administration.

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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 Becker in the chair.

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

**HB 160** - Representative Haines moved **HB 160** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, 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, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Balyeat, Barrett, R. Brown, Everett, Fuchs, Hawk, Hurwitz, A. Olson, Ross, Sales, Sinrud.

Total 11

Voted Absentee: Harris, Maedje, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Jent.

Total 1

Representative Maedje present at this time.

**HB 19** - Representative Kasten moved **HB 19** do pass. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Franklin, Fuchs, Gallus, Haines, Hawk, Hurwitz, Jackson, Jayne, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Malcolm, 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, Witt, Younkin, Mr. Speaker.

Total 57

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

Total 42

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Voted Absentee: Rice, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: Hedges.

Total 1

**HB 29 - Senate Amendments** - Representative A. Olson moved Senate amendments to **HB 29** 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, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, 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: Harris, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

**HB 59 - Senate Amendments** - Representative Erickson moved Senate amendments to **HB 59** 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, 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: Harris, Rice, Ayes.

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 94 - Senate Amendments** - Representative Lawson moved Senate amendments to **HB 94** 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, 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, 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: Ripley.  
Total 1

Voted Absentee: Harris, Rice, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 249** - Representative Barrett moved **HB 249** do pass. Motion **failed** as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fuchs, Gallik, Gallus, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, McKenney, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 50

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Malcolm, Matthews, Mendenhall, Musgrove, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 50

Voted Absentee: Rice, Aye; Harris, No.

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**HB 381** - Representative Fuchs moved consideration of **HB 381** be passed for the day. Motion carried.

**HB 391** - Representative Balyeat moved **HB 391** 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: Harris, Rice, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 429** - Representative Kasten moved **HB 429** 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, 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, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 93

Noes: Balyeat, Cohenour, Galvin-Halcro, Jackson, Laslovich, Sales, Weiss.  
Total 7

Voted Absentee: Harris, Rice, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.

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Total 0

**HB 452** - Representative Raser moved **HB 452** do pass.

Representative Raser moved **HB 452**, second reading copy, be amended as follows:

1. Page 1, line 29.

**Following:** "~~section H~~"

**Insert:** "in an amount equal to 30% of the amount donated by the taxpayer during the year to the developmental disability services account established in [section I]"

2. Page 1, line 29 through line 30.

**Strike:** "THE" on line 29 through "15-30-166" on line 30

**Insert:** "The maximum credit that may be claimed by the taxpayer is \$10,000"

3. Page 2, line 1.

**Following:** "DEDUCTION"

**Insert:** "under 15-30-121(1), 15-30-136(2), or 15-31-114"

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, 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, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Balyeat, Barrett, Devlin, Everett, Fisher, Laszloffy, Sales, Sinrud, Stoker, Wagman.

Total 10

Excused: Harris, Rice.

Total 2

Absent or not voting: None.

Total 0

Motion that **HB 452**, as amended, do pass 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, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Roberts, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.

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Total 84

Noes: Devlin, Hedges, Lehman, Pattison, Ripley, Rome, Sales, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Mr. Speaker.

Total 15

Voted Absentee: Harris, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Brueggeman.

Total 1

**HB 554** - Representative Kasten moved **HB 554** 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, Facey, Fisher, Franklin, 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 97

Noes: Gillan.

Total 1

Voted Absentee: Harris, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Everett, Forrester.

Total 2

**HB 616** - Representative Younkin moved **HB 616** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Gibson, Gillan, Gutsche, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Laslovich, Lehman, Lenhart, Lindeen, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 78

Noes: Balyeat, Bookout-Reinicke, D. Brown, Callahan, Fisher, Fuchs, Galvin-Halcro, Golie, Haines, Hawk, Jayne,



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Kasten, Lange, Laszloffy, Lawson, Lewis, Maedje, Malcolm, Noennig, Sales, Sinrud, Witt.  
Total 22

Voted Absentee: Harris, Rice, Ayes.

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

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 91

Noes: Franklin, Galvin-Halcro, Gillan, Golie, Jayne, Ryan, Sales.  
Total 7

Excused: Harris, Rice.  
Total 2

Absent or not voting: None.  
Total 0

**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 60** passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, 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, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, 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 91

Noes: Balyeat, D. Brown, R. Brown, Everett, Fisher, Kasten, Sales.

Total 7

Excused: Harris, Rice.

Total 2

Absent or not voting: None.

Total 0

**HB 176** 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, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, 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, 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: Harris, Rice.

Total 2

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Brueggeman moved to reconsider action on **HB 249** and that it be placed on second reading Legislative Day 48. Motion carried as follows:

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

Total 58

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Hawk, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lindeen, Matthews, Parker, Raser, Smith, Wanzenried, Windy Boy.

Total 37

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Excused: Harris, Rice.  
Total 2

Absent or not voting: Morgan, Small-Eastman, Weiss.  
Total 3

**SPECIAL ORDERS OF THE DAY**

The following bills were placed on the consent calendar: **SB 41, SB 42, SB 43.**

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

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

House adjourned at 3:02 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House