

**HOUSE JOURNAL
58TH LEGISLATURE
FIFTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 13, 2003

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Andersen.
Posting of colors and Pledge of Allegiance to the Flag led by the Girl Scout Troop #380 from the Alkali Creek School near Billings..

Roll Call. All members present, except Representative Lenhart, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Speaker Mood appointed the following people to the Environmental Quality Council:

Representative Barrett
Representative P. Clark
Representative Harris
Representative Hedges
Representative Bixby
Representative Peterson
Ms. Ellen Porter
Ms. Julia Page

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/13/2003
Correctly printed: **SB 22, SB 23, SB 56, SB 66, SB 79, SB 81, SB 85, SB 87, SB 117, SB 128.**
Correctly engrossed: **HB 13, HB 360, HJR 2, SB 80, SB 141.**
Correctly enrolled: **HB 101, HB 137, HB 187, HB 392, HB 408, HB 411, HB 471, HB 511, HB 636, HJR 16.**
Examined by the sponsor and found to be correct: **HB 101, HB 187, HB 411, HB 636, HJR 16.**
Signed by the Speaker at 8:45 a.m., March 13, 2003: **HB 321.**
Signed by the Speaker at 11:45 a.m., March 13, 2003: **HB 101, HB 137, HB 187, HB 392, HB 408, HB 411, HB 471, HB 511, HB 636, HJR 16.**
Delivered to the Secretary of State at 3:45 p.m., March 12, 2003: **HJR 18, HJR 22.**
Delivered to the Governor for approval at 4:40 p.m., March 12, 2003: **HB 36, HB 45, HB 65, HB 77, HB 194, HB 353, HB 364, HB 366, HB 601.**

BUSINESS AND LABOR (McKenney, Chairman): 3/13/2003
SB 108, be concurred in. Report adopted.
SB 109, be amended as follows:

1. Page 27.

Following: line 22

Insert: "NEW SECTION. Section 33. Coordination instruction. If House Bill No. 285 and [this act] are both passed and approved, then [section 20 of this act] is amended to read:

"**Section 20.** Section 37-13-306, MCA, is amended to read:

"**37-13-306. Renewal -- fee -- military exemption.** ~~(+) The~~ Except as provided in [section 2 of House Bill No. 285], the license to practice acupuncture must be renewed on a date set by the department, without examination and upon request of the licensee. The request for renewal must be on ~~forms~~ a form prescribed by the board and accompanied

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by a renewal fee prescribed by the board. The request and fee must be in the hands of the secretary of the board received at the board's office not later than the expiration date of the license.

~~(2) Immediately following the renewal date, the secretary shall notify all licensees from whom requests for renewal, accompanied by the renewal fee, have not been received that their licenses have expired and that they will be canceled and revoked upon the records of the board unless a request for renewal and reinstatement, accompanied by the renewal fee and an additional fee prescribed by the board, is in the hands of the secretary within 30 days of the renewal date.~~

~~(3) If the licensee fails to renew within 30 days following the renewal date, the secretary of the board shall cancel and revoke upon the board's records all licenses that have not been renewed or reinstated as provided by this chapter and shall notify the licensees whose licenses are revoked of the action.~~

~~(4) A licensee who allows the license to lapse by failing to renew or reinstate the license as provided in this section may subsequently reinstate the license upon good cause shown to the satisfaction of the board and upon payment of all renewal fees then accrued plus an additional fee prescribed by the board for each renewal period following the cancelling of the license.~~

~~(5) A person actively engaged in the military service of the United States and licensed to practice acupuncture as provided in this part is not required to pay the renewal fee or make application for renewal until the renewal date of the calendar period in which the person returns from military service to civilian or inactive status."''''~~

And, as amended, be concurred in. Report adopted.

SB 190, be concurred in. Report adopted.

EDUCATION (Andersen, Chairman):

3/13/2003

SB 183, be concurred in. Report adopted.

SB 202, be concurred in. Report adopted.

SJR 20, be amended as follows:

1. Page 2, line 3.

Strike: "in"

Insert: "by the end of"

And, as amended, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Balyeat, Chairman):

3/12/2003

SB 122, be concurred in. Report adopted.

SB 221, be concurred in. Report adopted.

JUDICIARY (Shockley, Chairman):

3/13/2003

SB 139, be concurred in and be placed on the consent calendar. Report adopted.

SB 238, be concurred in and be placed on the consent calendar. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HB 751, introduced by Harris, Bixby, Callahan, Carney, P. Clark, Dickenson, Erickson, Fritz, Gutsche, Juneau, Raser, Weiss, Windy Boy, referred to Taxation.

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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 A. Olson in the chair.

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

HB 698 - Representative Gillan moved **HB 698** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 76

Noes: Balyeat, Barrett, D. Brown, Everett, Fisher, Fuchs, Hawk, Jackson, Kasten, Lake, Laszloffy, Lehman, Lewis, Malcolm, Pattison, Rice, Sales, Sinrud, Steinbeisser, Stoker, Wagman, Waitschies.

Total 22

Excused: Lenhart.

Total 1

Absent or not voting: Bookout-Reinicke.

Total 1

HB 142 - Senate Amendments - Representative Devlin moved Senate amendments to **HB 142** 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, 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, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Laslovich.

Total 1

Voted Absentee: Lenhart, Aye.

Excused: None.

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Total 0

Absent or not voting: Schrumpf.

Total 1

SB 16 - Representative Andersen moved **SB 16** be concurred in.

Representative Dickenson moved **SB 16**, second reading copy, be amended as follows:

1. Page 1, line 22.

Strike: "3"

Insert: "8"

Amendment **not** adopted as follows:

Ayes: Balyeat, Becker, Bergren, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Jacobson, Jayne, Jent, Kaufmann, Keane, Lenhart, Malcolm, Matthews, Newman, Raser, Rice, Schrumpf, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Windy Boy.

Total 38

Noes: Andersen, Ballantyne, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Juneau, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Ripley, Roberts, Rome, Ross, Ryan, Sales, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.

Total 62

Voted Absentee: Lenhart, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 16** be concurred in 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, 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, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Gallus, Laszloffy, Rice, Sales, Smith.

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Total 5

Voted Absentee: Lenhart, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 26 - Representative Lawson moved **SB 26** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, 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, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Franklin, Fuchs, Galvin-Halcro, Jayne, Musgrove, Sales, Sinrud, Wagman.

Total 9

Voted Absentee: Lenhart, Aye.

Excused: None.

Total 0

Absent or not voting: Brueggeman, P. Clark, Pattison.

Total 3

SB 36 - Representative Maedje moved **SB 36** 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, 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: Lenhart, Aye.

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Excused: None.
Total 0

Absent or not voting: Gillan.
Total 1

SB 55 - Representative Facey moved **SB 55** 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, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Mendenhall.
Total 1

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 94 - Representative Facey moved **SB 94** be concurred in. Motion carried 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, Devlin, Dickenson, Dowell, Erickson, Facey, 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, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Balyeat, Barrett, Fuchs, Laszloffy, Rice, Ripley, Sales, Sinrud, Steinbeisser, Stoker.
Total 10

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

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Absent or not voting: Everett, Windy Boy.
Total 2

SB 125 - Representative Bergren moved **SB 125** be concurred in. 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, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, 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.
Total 97

Noes: None.
Total 0

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: Brueggeman, Jackson, Mr. Speaker.
Total 3

SB 144 - Representative Bitney moved **SB 144** be concurred in. 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, 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.
Total 95

Noes: Balyeat, Jayne, Sales.
Total 3

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: Brueggeman, Mr. Speaker.
Total 2

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SB 151 - Representative Mendenhall moved **SB 151** be concurred in. 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, 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: Lenhart, Aye.

Excused: None.

Total 0

Absent or not voting: Brueggeman.

Total 1

SB 64 - Representative Shockley moved **SB 64** 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: Lenhart, Aye.

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

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

Total 3

Excused: Lenhart.

Total 1

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:

SB 5 (requiring a 2/3 vote) **failed** as follows:

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

Total 61

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

Total 38

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 19 concurred in 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, Gutsche, Haines, Harris,

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Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, 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, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Franklin, Gillan, Golie, Jayne, Lawson, Smith.

Total 6

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 20 concurred in 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, 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 99

Noes: None.

Total 0

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 31 concurred in 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, 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 99

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Noes: None.
Total 0

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

SB 45 concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 84

Noes: Balyeat, D. Brown, Buzzas, Dickenson, Everett, Franklin, Gallik, Golie, Kasten, Pattison, Sales, Sinrud, Waitschies, Windy Boy.
Total 14

Excused: Lenhart.
Total 1

Absent or not voting: Peterson.
Total 1

SB 68 concurred in 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, 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 98

Noes: Facey.
Total 1

Excused: Lenhart.
Total 1

Absent or not voting: None.

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Total 0

SB 75 concurred in 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, 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, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative R. Brown moved **SB 133** be taken from the Committee on Federal Relations, Energy, and Telecommunications and be rereferred to the Committee on Judiciary. There being no objection, so ordered.

Representative R. Brown moved **SB 152** be taken from the Committee on Taxation and be rereferred to the Committee on Business and Labor. There being no objection, so ordered.

Representative Peterson moved to reconsider action taken on **SB 5**, third reading today, and that it be placed back on third reading Legislative Day 54.

Representative Gallus made a substitute motion to remove **SB 5** from third reading. Representative Gallus withdrew his motion.

Motion to reconsider action on **SB 5** carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 84

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Noes: Bixby, Branae, Buzzas, Dickenson, Galvin-Halcro, Gibson, Gillan, Golie, Harris, Jacobson, Juneau, Parker, Raser, Weiss, Wilson.

Total 15

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The following bills were placed on the consent calendar: **SB 22, SB 23, SB 56, SB 66, SB 80, SB 81, SB 85, SB 87, SB 117.**

The following bills were removed from the consent calendar: **SB 64, SB 78, SJR 24.**

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Friday, March 14, 2003. Motion carried.

House adjourned at 2:51 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House