

**HOUSE JOURNAL  
58TH LEGISLATURE  
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
March 26, 2003

House Chambers  
State Capitol

House convened at 12:02 p.m. Mr. Speaker in the Chair. Invocation by Representative Mendenhall. Pledge of Allegiance to the Flag.

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

The Speaker introduced the Orphan Girl Theater from historic uptown Butte. The Orphan Girl Children's Theater performed the song "I'm Just a Bill." The mission of the Orphan Girl Children's Theater is to make live theater, music and dance accessible to young people.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 3/26/2003  
Correctly printed: **SB 133, SB 327, SB 380.**  
Correctly engrossed: **HB 749, HB 750, SB 105, SB 113, SB 363, SB 364, SB 441.**  
Examined by the sponsor and found to be correct: **HB 373.**  
Delivered to the Secretary of State at 10:27 a.m., March 26, 2003: **HJR 5.**  
Delivered to the Governor for approval at 9:27 a.m., March 26, 2003: **HB 30, HB 60, HB 176, HB 443, HB 656, HB 683.**

**AGRICULTURE** (Rice, Chairman): 3/26/2003  
**SJR 8**, be concurred in. Report adopted.

**JUDICIARY** (Shockley, Chairman): 3/26/2003  
**HB 658**, introduced bill, be amended as follows:

1. Page 2, line 1.

**Following:** "necessity."

**Insert:** "pays a \$50 filing fee and"

**Strike:** "licensed Montana engineer"

**Insert:** "professional engineer licensed in Montana"

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (Barrett, Chairman): 3/25/2003  
**SB 239**, be amended as follows:

1. Page 1, line 12.

**Strike:** "19-2-303"

**Insert:** "Title 19 for the retirement system in which the employee is a member"

2. Page 1, line 13.

**Following:** "plan"

**Insert:** "or a state employee whose termination of employment within the time period specified was because of a disability retirement"

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3. Page 1, line 26.

**Following:** "VOIDNESS."

**Insert:** "(1)"

4. Page 1.

**Following:** line 29

**Insert:** "(2) If House Bill No. 360 and [this act] are both passed and approved, then [this act] is void."

And, as amended, be concurred in and be placed on the consent calendar. Report adopted.

**SB 274**, be concurred in. Report adopted.

**TAXATION** (Fuchs, Chairman):

3/25/2003

**HB 748**, introduced bill, be amended as follows:

1. Page 3, line 6.

**Strike:** "7.13%"

2. Page 3, line 7.

**Strike:** "at the beginning of fiscal year 2003,"

3. Page 5, line 20.

**Following:** "county"

**Insert:** "and multiply that amount by the school district percentage figure for the county referred to in subsection (2)(a)"

4. Page 22.

**Following:** line 24

**"NEW SECTION. Section 18. Coordination instruction.** If House Bill No. 584 and [this act] are both passed and approved, then [section 1 of this act] is amended to read:

**"NEW SECTION. Section 1. Distribution of taxes.** (1) (a) For each calendar quarter, the department shall determine the amount of tax, late payment interest, and penalties collected under this part.

(b) For the purposes of distribution of oil and natural gas production taxes to county and school district taxing units under [section 2] and to the state, the department shall determine the amount of oil and natural gas production taxes paid on production in the taxing unit.

(2) The amount of oil and natural gas production taxes collected for the privilege and license tax pursuant to 82-11-131 must be deposited, in accordance with the provisions of 15-1-501, in the state special revenue fund for the purpose of paying expenses of the board, as provided in 82-11-135.

(3) (a) For tax year 2003 and succeeding tax years, the amount of oil and natural gas production taxes determined under subsection (1)(b) plus the phased-out amount distributed pursuant to 15-36-324(12)(b) as that section read on December 31, 2002, is allocated to each county according to the following schedule:

	2003	2004	2005	2006 and succeeding tax years
Big Horn	45.03%	45.04%	45.04%	45.05%
Blaine	57.56%	57.84%	58.11%	58.39%
Carbon	50.24%	49.59%	48.93%	48.27%
Chouteau	56.67%	57.16%	57.65%	58.14%
Custer	103.63%	92.27%	80.9%	69.53%
Daniels	48.31%	49.15%	49.98%	50.81%
Dawson	56.32%	53.48%	50.64%	47.79%
Fallon	39.89%	40.52%	41.15%	41.78%

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Fergus	112.2%	97.86%	83.52%	69.18%	
Garfield	54.51%	51.66%	48.81%	45.96%	
Glacier	76.56%	70.65%	64.74%	58.83%	
Golden Valley	55.5%	56.45%	57.41%	58.37%	
Hill	66.97%	66.15%	65.33%	64.51%	
Liberty	63.32%	61.53%	59.73%	57.94%	
McCone		58.75%	55.81%	52.86%	49.92%
Musselshell		57.06%	54.25%	51.44%	48.64%
Petroleum		67.8%	61.21%	54.62%	48.04%
Phillips	53.3%	53.54%	53.78%	54.02%	
Pondera	104.14%		87.51%	70.89%	54.26%
Powder River		64.7%	63.44%	62.17%	60.9%
Prairie	38.43%	39.08%	39.73%	40.38%	
Richland		45.23%	45.97%	46.72%	47.47%
Roosevelt		46.75%	46.4%	46.06%	45.71%
Rosebud		37.41%	38.05%	38.69%	39.33%
Sheridan		46.64%	47.09%	47.54%	47.99%
Stillwater		56.05%	55.2%	54.35%	53.51%
Sweet Grass		58.23%	59.24%	60.24%	61.24%
Teton	53.01%	50.71%	48.4%	46.1%	
Toole	56.2%	56.67%	57.14%	57.61%	
Valley	59.82%	57.02%	54.22%	51.43%	
Wibaux	47.71%	48.19%	48.68%	49.16%	
Yellowstone		50.69%	49.37%	48.06%	46.74%
All other counties		50.15%	50.15%	50.15%	50.15%

(b) The oil and natural gas production taxes allocated to each county must be deposited in the state special revenue fund and transferred to each county for distribution, as provided in [section 2].

(4) The department shall, in accordance with the provisions of 15-1-501, distribute the state portion of oil and natural gas production taxes remaining after the distributions pursuant to subsections (2) and (3) as follows:

(a) for the fiscal year ending June 30, 2003, ~~7.13%~~ to be distributed as follows:

(i) ~~at the beginning of fiscal year 2003~~; a total of \$400,000 to the coal bed methane protection account established in 76-15-904; and

(ii) all remaining proceeds to the state general fund;

(b) for the fiscal year beginning July 1, 2003, through the fiscal year ending June 30, ~~2005~~ 2011, to be distributed as follows:

(i) 1.23% to the coal bed methane protection account established in 76-15-904;

(ii) 2.95% to the reclamation and development grants special revenue account established in 90-2-1104;

(iii) 2.95% to the orphan share account established in 75-10-743; and

(iv) all remaining proceeds to the state general fund;

~~(c) for the fiscal year beginning July 1, 2005, through the fiscal year ending June 30, 2011, to be distributed as follows:~~

~~(i) 1.23% to the coal bed methane protection account established in 76-15-904;~~

~~(ii) 5.90% to the reclamation and development grants special revenue account established in 90-2-1104; and~~

~~(iii) all remaining proceeds to the state general fund; and~~

~~(c)~~ (c) for fiscal years beginning after June 30, 2011, to be distributed as follows:

(i) ~~7.13%~~ 4.18% to the reclamation and development grants special revenue account established in 90-2-1104; and

(ii) 2.95% to the orphan share account established in 75-10-743; and

~~(ii)(iii)~~ (iii) all remaining proceeds to the state general fund."''

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**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**SB 302**, be concurred in and be placed on the consent calendar. Report adopted.

**SB 320**, be amended as follows:

1. Title, page 1, line 6.

**Following:** "DATE"

**Insert:** "AND A TERMINATION DATE"

2. Page 1.

**Following:** line 24

**Insert:** "NEW SECTION. Section 3. Termination. [This act] terminates June 30, 2003."

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

**MESSAGES FROM THE SENATE**

**Senate bill** passed and transmitted to the House for concurrence: 3/25/2003

**SB 469**, introduced by Elliott

**House bill** concurred in and returned to the House: 3/25/2003

**HB 585**, introduced by Franklin

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments: 3/25/2003

**HB 169**, introduced by Keane

**HB 190**, introduced by Younkin

**HB 298**, introduced by Younkin

**HB 610** - The Senate requested that the House return **HB 610** for further consideration: 3/25/2003

**MESSAGES FROM THE GOVERNOR**

March 25, 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 71** sponsored by Representative Waitschies, **House Bill 178** sponsored by Representative Fritz, **House Bill 212** sponsored by Representative Shockley, **House Bill 264** sponsored by

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Representative Gibson, **House Bill 326** sponsored by Representative Newman et al., **House Bill 490** sponsored by Representative Buzzas et al., and **House Bill 552** sponsored by Representative B. Ryan on March 25, 2003.

Sincerely,

JUDY MARTZ  
Governor

Majority Leader Brown moved that the House recess until 12:35 p.m. for caucuses. Motion carried.

House recessed at 12:13 p.m.

House reconvened at 12:35 p.m. All members present, except Representative Sinrud, excused. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Lewis, Chairman): 3/26/2003  
**HB 5**, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 12.

**Strike:** "EXEMPTING" on line 8 through "18-2-403, MCA;" on line 12

**Insert:** "PROVIDING THAT FOR THE PURPOSE OF FOSTERING PRIVATE EFFORTS TO RESTORE, MAINTAIN, AND DEVELOP THE OLD MAIN BUILDING AT THE MONTANA VETERANS' HOME, THE DEPARTMENT OF ADMINISTRATION MAY WAIVE REQUIREMENTS PERTAINING TO BIDDING AND BONDING FOR STATE BUILDING PROJECTS IN TITLE 18, MCA, TO LABOR REQUIREMENTS IN TITLE 18, MCA, AND TO CONTRACTOR REGISTRATION IN TITLE 39, MCA;"

2. Page 2, line 1.

**Strike:** "550,000"

**Insert:** "480,000"

3. Page 2, line 2.

**Following:** "300,000"

**Insert:** "300,000 Auxiliary Funds"

4. Page 2, line 29.

**Strike:** "170,500"

**Insert:** "240,500"

**Strike:** "190,000"

**Insert:** "120,000"

5. Page 2.

**Following:** line 29

**Insert:** "Addition to Skaggs Building, UM-Missoula 11,500,000 Federal Special Revenue, Donations, Grants, State Funds, and Higher Education Funds

Crown of the Continent Ecosystem Interpretive  
Center and Natural Trail, Yellow Bay

3,700,000 Federal Special Revenue, Donations, Grants,  
State Funds, and Higher Education Funds

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Herrick Hall Renovation, MSU-Bozeman 10,000,000 Federal Special Revenue, Donations, Grants, State Funds, and Higher Education Funds  
Sherrick Hall Renovation, MSU-Bozeman 5,000,000 Federal Special Revenue, Donations, Grants, State Funds, and Higher Education Funds"

6. Page 3, line 9.

**Strike:** "3,000,000"

**Insert:** "2,725,000"

7. Page 3, line 11 through line 14.

**Strike:** subsection (2) in its entirety

**Insert:** "(2) (a) The department of administration, for the purpose of fostering the restoration, maintenance, and further development of the old main building at the Montana veterans' home in Columbia Falls, may waive, in whole or in part, the requirements pertaining to:

(i) bidding and bonding for state building projects in Title 39;

(ii) labor requirements in Title 18; and

(iii) contractor registration in Title 39.

(b) The waiver pursuant to subsection (2)(a) may be exercised in the following circumstances:

(i) to obtain the volunteer services and donated materials from members of the public, civic organizations, and other federal, state, or local governmental entities;

(ii) to obtain the compensated services of contractors that are donating significant amounts of labor, time, and materials; and

(iii) to meet the terms and conditions for receipt of major sums of money from private or public funding sources, inclusive of individual donors.

8. Page 3.

**Following:** line 29

**Insert:** "The appropriation for motorboat recreation site improvements must include the following road improvement projects: \$100,000 for miscellaneous chip seal projects at Thompson Falls, Logan, West Shore, and Lake Mary Ronan recreational sites; \$60,000 for Cooney Reservoir state park; and \$200,000 for Hell Creek state park."

9. Page 3.

**Following:** line 30

**Insert:** "The appropriation for cultural and historic park improvements must include the following road improvement projects: \$60,000 for Giant Springs state park; \$100,000 for Travelers' Rest state park; \$80,000 for Clark's Lookout state park; and \$200,000 for Ulm Pishkun state park."

10. Page 4, line 12.

**Following:** "Grants"

**Insert:** ", State Funds, and Higher Education Funds"

11. Page 4.

**Following:** line 12

**Insert:** "(3) The following money is appropriated to Montana state university in the indicated amount for the purpose of making capital improvements to campus facilities:

Agency/Project	LRBP	Other Funding Sources
General Spending Authority, All Campuses	\$2,500,000	Federal Special Revenue, Donations, Grants, State Funds, and Higher Education Funds"

**Renumber:** subsequent subsection

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12. Page 4, line 16.  
**Strike:** "\$2,000,000"  
**Insert:** "\$1,620,860"

And, as amended, do pass. Report adopted.

**HB 9**, do pass. Report adopted.  
**HB 367**, introduced bill, be amended as follows:

1. Title, line 6 through line 8.

**Strike:** "ALLOCATING" on line 6 through "AUTHORIZING" on line 8

**Insert:** "REQUIRING"

**Following:** "BONDS" on line 8

**Insert:** "IN THE AMOUNT NOT TO EXCEED \$2.5 MILLION"

**Following:** the second "OF"

**Insert:** "A PORTION OF THE"

2. Title, line 9.

**Following:** "SITES"

**Insert:** "IF CONGRESS APPROPRIATES FUNDS FOR THAT PURPOSE"

3. Title, line 11.

**Strike:** "CREATING A STATE DEBT;"

4. Title, line 11 through line 12.

**Following:** "SECTIONS" on line 11

**Strike:** "17-3-240" on line 11 through "82-4-312," on line 12

**Following:** "82-4-314"

**Strike:** ", "

5. Page 1, line 16 through page 2, line 23.

**Strike:** sections 1 through 3 in their entirety

**Renumber:** subsequent sections

6. Page 2, line 28.

**Strike:** "\$20"

**Insert:** "\$8"

7. Page 3, line 6 through line 7.

**Strike:** "DURING" through "MILLION."

**Insert:** "(2) If by June 30, 2005, congress appropriates \$10 million or more to fund long-term or perpetual water treatment at the Zortman and Landusky mine sites, the department shall request the board of examiners to sell bonds authorized in subsection (1), without making the findings set forth in 82-4-313(1), in an amount that, when added to the amount appropriated by congress, equals \$12.5 million."

8. Page 3, line 8.

**Strike:** "[section 5]"

**Insert:** "[section 2]"

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9. Page 3, line 13.

**Following:** "with"

**Strike:** "at" through "million of"

10. Page 3, line 14.

**Strike:** "82-4-314"

**Insert:** "82-4-314(2)"

**Following:** "legislature"

**Insert:** "or congress"

11. Page 3, line 19.

**Following:** "fund"

**Insert:** "and interest credited to the fund pursuant to subsection (3)"

12. Page 3, line 25.

**Strike:** "[SECTION 5]"

**Insert:** "82-4-314(2)"

13. Page 4, line 15 through line 17.

**Strike:** section 8 in its entirety

**Insert:** "**NEW SECTION. Section 5. Notification of congressional appropriation.** The department of environmental quality shall notify the board of examiners and the code commissioner if by June 30, 2005, congress appropriates \$10 million or more to fund long-term or perpetual water treatment at the Zortman and Landusky mine sites."

**Renumber:** subsequent sections

14. Page 4, line 19.

**Strike:** "[Section 5]"

**Insert:** "[Section 2]"

15. Page 4, line 20.

**Strike:** "[section 5]"

**Insert:** "[section 2]"

And, as amended, do pass. Report adopted.

**HB 727**, do pass. Report adopted.

**TAXATION** (Fuchs, Chairman):

3/26/2003

**SB 460**, be concurred in. Report adopted.

**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 Younkin in the chair.

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



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**HB 726** - Representative Kaufmann moved **HB 726** do pass. Motion **failed** as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, Cohenour, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Noennig, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.  
Total 47

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, P. Clark, Cyr, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Mr. Speaker.  
Total 53

Voted Absentee: Sinrud, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 268** - Representative R. Brown moved consideration of **HB 268** be placed at the top of the second reading board. Motion carried.

Representative Erickson moved **HB 268** do pass. Motion **failed** as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lindeen, McKenney, Musgrove, Newman, Noennig, A. Olson, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Younkin.  
Total 49

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, Matthews, Mendenhall, Morgan, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Mr. Speaker.  
Total 51

Voted Absentee: Sinrud, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**HB 750** - Representative R. Brown moved **HB 750** do pass.

Representative Gillan moved **HB 750**, second reading copy, be amended as follows:

1. Title, line 5.

**Strike:** "TEMPORARILY"

2. Title, line 6.

**Strike:** "TEMPORARILY"

3. Page 1, lines 18 through 22.

**Strike:** ";" on line 18 through "18" on line 22

**Insert:** "65"

4. Page 2, lines 25 and 26.

**Following:** "(1)" on line 25

**Strike:** remainder of line 25 through "6%" on line 26

**Insert:** "1.77%"

5. Page 2, lines 28 and 29.

**Following:** "(2)" on line 28

**Strike:** remainder of line 28 through "4%" on line 29

**Insert:** "1.19%"

6. Page 3, lines 1 and 2.

**Following:** "(3)" on line 1

**Strike:** remainder of line 1 through "3%" on line 2

**Insert:** "0.89%"

7. Page 3, line 7.

**Strike:** "following amounts"

**Insert:** "amount of 3.05% "

8. Page 3, lines 9 through 12.

**Following:** "homes" on line 9

**Strike:** remainder of line 9 through "11.11%" on line 12

9. Page 3, line 15.

**Strike:** "2005"

**Insert:** "2013"

**Strike:** "80.16%"

**Insert:** "82.19%"

**Following:** "and"

**Insert:** "and"

10. Page 3, line 16.

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

**Renumber:** subsequent subsection

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11. Page 3, line 17.

**Strike:** "73.04%"

**Insert:** "92.59%"

12. Page 3, line 18.

**Strike:** "following amounts"

**Insert:** "amount of 4.36%"

13. Page 3, line 19 through line 22.

**Following:** "17-7-205" on line 19

**Strike:** remainder of line 19 through "15.85%" on line 22

14. Page 3, line 23.

**Strike:** "2005"

**Insert:** "2013"

**Strike:** "10.33%"

**Insert:** "10.4%"

15. Page 3, lines 24 and 25.

**Following:** "17-5-703" on line 24

**Strike:** remainder of line 24 through "17-5-703" on line 25

Amendment adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Jacobson, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Raser, Rome, Small-Eastman, Smith, Stoker, Wanzenried, Weiss, Windy Boy, Younkin.

Total 57

Noes: Andersen, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Hawk, Hurwitz, Jackson, Jayne, Kasten, Lake, Lambert, Lange, Laszloffy, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Pattison, Peterson, Rice, Ripley, Roberts, Ross, Ryan, Sales, Schrumppf, Shockley, Sinrud, Steinbeisser, Thomas, Wagman, Waitschies, Wilson, Witt, Mr. Speaker.

Total 43

Voted Absentee: Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 750**, as amended, do pass carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin,

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Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kaufmann, Keane, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rome, Ross, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.  
Total 74

Noes: Balyeat, Barrett, Bitney, D. Brown, Everett, Fisher, Gallik, Hawk, Jackson, Jayne, Kasten, Lake, Lambert, Laszloffy, Maedje, Mendenhall, Morgan, Pattison, Rice, Ripley, Roberts, Ryan, Sales, Small-Eastman, Wagman, Mr. Speaker.  
Total 26

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 705** - Representative E. Clark moved **HB 705** 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, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, 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, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 95

Noes: Balyeat, Hawk, Kasten, Mendenhall, Sales.  
Total 5

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 743** - Representative E. Clark moved **HB 743** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, 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, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich,

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

Total 94

Noes: Balyeat, P. Clark, Hawk, Kasten, Mendenhall, Sales.

Total 6

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 285 - Senate Amendments** - Representative R. Brown moved Senate amendments to **HB 285** 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, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: Haines, Laszloffy, Smith.

Total 3

**HB 333 - Senate Amendments** - Representative Waitschies moved Senate amendments to **HB 333** be concurred in. Motion carried as follows:

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

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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, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: R. Brown, Wilson.

Total 2

**HB 350 - Senate Amendments** - Representative Cohenour moved Senate amendments to **HB 350** 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, 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: Laslovich, Rome.

Total 2

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 428 - Senate Amendments** - Representative Keane moved Senate amendments to **HB 428** 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, 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, 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,

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Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Jackson, Laslovich, Parker, Raser, Waitschies.

Total 5

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: P. Clark.

Total 1

**HB 583 - Senate Amendments** - Representative R. Brown moved Senate amendments to **HB 583** be concurred in. Motion carried as follows:

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

Total 83

Noes: Balyeat, Bergren, Callahan, Dickenson, Galvin-Halcro, Golie, Jayne, Kasten, Musgrove, Parker, Raser, Ryan, Sales, Waitschies, Wilson.

Total 15

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: Fritz, Schrumpf.

Total 2

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

Representative Erickson made a **substitute motion** that **HB 268** be segregated from the Committee of the Whole report, be placed on second reading tomorrow and that the remainder of the report be adopted. Motion carried.

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lindeen, Musgrove, Newman, Noennig, B. Olson, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried,

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Weiss, Wilson, Windy Boy.  
Total 53

Noes: Andersen, Balyeat, Barrett, Bitney, D. Brown, R. Brown, E. Clark, Devlin, Everett, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 45

Excused: Sinrud.  
Total 1

Absent or not voting: Shockley.  
Total 1

**MOTIONS**

Representative R. Brown moved the House accede to the request of the Senate to return **HB 610** for further Senate consideration on this bill. There being no objection, so ordered.

Representative Brueggeman move to reconsider action taken to rerefer **SB 363** to the Committee on Judiciary.

Representative Jent moved to table previous motion. Motion **failed** as follows:

Ayes: Ballantyne, Becker, Bergren, 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, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 46

Noes: Andersen, Balyeat, Barrett, 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, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 53

Excused: Sinrud.  
Total 1

Absent or not voting: None.  
Total 0

Motion to reconsider action taken on **SB 363** carried as follows:

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



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Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Noennig, Parker, Raser, Ryan, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 44

Excused: Sinrud.  
Total 1

Absent or not voting: Fisher, Jacobson.  
Total 2

**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 721** passed as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 79

Noes: Balyeat, Barrett, Bitney, Fisher, Hawk, Jackson, Kasten, Lake, Lehman, Mendenhall, Morgan, Pattison, Rice, Ripley, Rome, Sales, Steinbeisser, Stoker, Wagman, Waitschies.  
Total 20

Excused: Sinrud.  
Total 1

Absent or not voting: None.  
Total 0

**HB 3** passed as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, P. Clark, Devlin, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Hedges, Hurwitz, Jackson, Kasten, Kaufmann, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 55

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Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hawk, Jacobson, Jayne, Jent, Juneau, Keane, Laslovich, Lindeen, Mendenhall, Musgrove, Newman, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.

Total 44

Excused: Sinrud.

Total 1

Absent or not voting: None.

Total 0

**HB 4** passed as follows:

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

Total 82

Noes: Balyeat, Bixby, Callahan, Dowell, Gallik, Hawk, Jent, Kasten, Lindeen, Mendenhall, Musgrove, Raser, Sales, Shockley, Wanzenried, Weiss, Windy Boy.

Total 17

Excused: Sinrud.

Total 1

Absent or not voting: None.

Total 0

**HB 10** 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, 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, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Kasten.

Total 1

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Excused: Sinrud.  
Total 1

Absent or not voting: None.  
Total 0

**HB 11** 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, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: Balyeat.  
Total 1

Excused: Sinrud.  
Total 1

Absent or not voting: None.  
Total 0

**HB 12** 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, 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, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 96

Noes: Balyeat, Mendenhall, Sales.  
Total 3

Excused: Sinrud.  
Total 1

Absent or not voting: None.  
Total 0

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**HB 276** passed as follows:

Ayes: Andersen, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, 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, Roberts, Rome, Ryan, Schrumph, Small-Eastman, Smith, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 81

Noes: Ballantyne, Balyeat, Bixby, D. Brown, Erickson, Everett, Fisher, Gutsche, Hawk, Jackson, Kaufmann, Lake, Malcolm, Ripley, Ross, Sales, Shockley, Steinbeisser.

Total 18

Excused: Sinrud.

Total 1

Absent or not voting: None.

Total 0

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Rice, Chairman): 3/26/2003  
**SB 213**, be concurred in and be placed on the consent calendar. Report adopted.

**APPROPRIATIONS** (Lewis, Chairman): 3/26/2003  
**HB 13**, do pass. Report adopted.  
**HB 360**, introduced bill, be amended as follows:

1. Page 2, line 16.

**Following:** "INCLUDING"

**Insert:** ": (a)"

**Following:** "5-17-102"

**Insert:** "; (b) members of boards and commissions appointed by the governor, the legislature, or other elected state officials; and

(c) personal staff as defined in 2-18-101"

2. Page 3.

**Following:** line 1

**Insert:** "(i) continuous employment does not include prior service as an elected official, as defined in 5-7-102;"

**Renumber:** subsequent subsections

3. Page 13, line 2.

**Following:** "voidness."

**Insert:** "(1)"

4. Page 13.

**Following:** line 5

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**Insert:** "(2) If House Bill No. 363 is not passed and approved, then [this act] is void."

And, as amended, do pass. Report adopted.

**HB 756**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "PROGRAM;"

**Insert:** "PROVIDING MATCHING FUNDS FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE COMPREHENSIVE HEALTH ASSOCIATION;"

2. Page 1, line 19.

**Following:** the second "use"

**Insert:** "and an amount equal to 17% of the state's tobacco settlement proceeds for matching funds for the children's health insurance program and the comprehensive health association"

3. Page 2.

**Following:** line 3

**Insert:** "(3) The following amounts are appropriated for the 2004-05 biennium to the department of public health and human services from the tobacco settlement proceeds account in the state special revenue fund, as provided for in 17-6-606(3)(a), for matching funds for the children's health insurance program:

FY 2004	\$3,797,910
FY 2005	3,918,100

(4) The following amounts are appropriated for the 2004-05 biennium to the state auditor from the tobacco settlement proceeds account in the state special revenue fund, as provided for in 17-6-606(3)(b), for the comprehensive health association:

FY 2004	\$1,000,000
FY 2005	1,000,000."

Explanation: This amendment appropriates the full amount allocated by I-146 to CHIP and the Montana Comprehensive Health Association for CHIP matching funds and MCHA.

And, as amended, do pass. Report adopted.

**HB 761**, introduced bill, be amended as follows:

1. Page 1, line 19.

**Following:** "at"

**Insert:** "or in the vicinity of"

2. Page 1, line 20.

**Following:** "Montana,"

**Insert:** "in the city of Missoula, or in Missoula County, as appropriate,"

3. Page 1, lines 29 and 30.

**Following:** "that the" on line 29

**Insert:** "selected"

**Following:** "property" on line 29

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**Strike:** remainder of line 29 through "Montana," on line 30

4. Page 2, line 1.

**Strike:** "at Fort Missoula, in Missoula County, Montana,"

5. Page 2, line 7.

**Strike:** "at Fort Missoula."

**Insert:** "in"

And, as amended, do pass. Report adopted.

**HB 762**, introduced bill, be amended as follows:

1. Page 1, line 12.

**Following:** "(1)"

**Strike:** "Upon request of the committee pursuant"

**Insert:** "Pursuant"

2. Page 1, line 23.

**Following:** "by"

**Strike:** "a committee consisting of"

**Insert:** "the chief information officer in consultation with"

3. Page 1, line 24.

**Strike:** "the chief information officer"

**Insert:** "the governor's budget director"

And, as amended, do pass. Report adopted.

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

3/26/2003

**SB 275**, be amended as follows:

1. Title, line 15.

**Following:** "IS"

**Insert:** "NOT"

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

**SB 306**, be concurred in. Report adopted.

**SB 315**, be concurred in. Report adopted.

**SB 344**, be amended as follows:

1. Title, line 7.

**Following:** "EFFECTIVE DATE"

**Strike:** "AND"

**Insert:** ", "

**Following:** "APPLICABILITY DATE"

**Insert:** ", AND A TERMINATION DATE"

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2. Page 2, following line 18.

**Insert:** "NEW SECTION. Section 4. Termination. [This act] terminates July 1, 2005."

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

**STATE ADMINISTRATION** (Barrett, Chairman):  
**SB 401**, be amended as follows:

3/26/2003

1. Page 4, line 8.

**Strike:** "Montana members"

**Insert:** "tribal leaders"

**Strike:** "Montana-Wyoming"

**Insert:** "eight"

**Strike:** "leaders council"

**Insert:** "councils in Montana"

2. Page 4, line 10.

**Strike:** "Montana-Wyoming"

**Insert:** "Montana"

**Strike:** "council"

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

**TAXATION** (Fuchs, Chairman):  
**HB 713**, introduced bill, be amended as follows:

3/26/2003

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

**Strike:** "PROVIDING" on line 7 through "PROGRAM;" on line 8

2. Page 3, line 10 through line 12.

**Strike:** subsection (10) in its entirety

**Renumber:** subsequent subsections

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 764**, introduced by Mendenhall, F. Thomas, referred to Taxation.

**HB 765**, introduced by Erickson, referred to Taxation.

**HB 766**, introduced by Juneau, referred to Taxation.

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

**SB 469**, introduced by Elliott, referred to Taxation.

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Thursday, March 27, 2003. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House