

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

Helena, Montana
March 29, 2003

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Pattison. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives D. Brown, Peterson, and Weiss, excused. Quorum present.

Mr. Speaker introduced the honorary pages for the day:

Meghan Callahan, Hamilton
Sean Collins, Helena
William Wangen, Helena

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/29/2003
Correctly printed: **SB 101, SB 232, SB 244, SB 325, SB 334.**
Correctly engrossed: **SB 152, SB 270, SB 288, SB 362, SB 406, SB 423.**
Correctly enrolled: **HB 285, HB 333, HB 350, HB 428, HB 583.**
Examined by the sponsor and found to be correct: **HB 285, HB 333, HB 350, HB 428, HB 583.**
Delivered to the Secretary of State at 3:30 p.m., March 28, 2003: **HJR 10, HJR 11, HJR 20, HJR 28, HJR 34.**
Delivered to the Governor for approval at 2:50 p.m., March 28, 2003: **HB 63, HB 122, HB 129, HB 165, HB 174, HB 182, HB 185, HB 236, HB 284, HB 312.**

FISH, WILDLIFE AND PARKS (Balyeat, Chairman): 3/28/2003
SB 166, be concurred in and be placed on the consent calendar. Report adopted.
SJR 4, be concurred in. Report adopted.
SJR 15, be concurred in. Report adopted.
SJR 16, be concurred in. Report adopted.

LOCAL GOVERNMENT (Noennig, Chairman): 3/29/2003
SB 24, be concurred in. Report adopted.
SB 150, be concurred in and be placed on the consent calendar. Report adopted.
SB 163, be concurred in and be placed on the consent calendar. Report adopted.
SB 168, be concurred in. Report adopted.
SB 197, be concurred in. Report adopted.
SB 288, be amended as follows:

1. Title, line 5.

Strike: "REQUIRING"

Insert: "CLARIFYING THAT"

2. Title, line 6.

Following: "CITY-COUNTY"

Insert: "IS NOT REQUIRED"

3. Page 3, line 6.

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Following: "(4)"

Insert: "do not"

4. Page 3, line 7.

Strike: "BUT" through "ADOPTED"

Insert: "or to"

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

NATURAL RESOURCES (Younkin, Chairman):

3/28/2003

SJR 9, be concurred in and be placed on the consent calendar. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 47**
Report No. 1, March 27, 2003

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 47** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

1. Senate Committee on Local Government amendments to the first reading copy, dated January 22, 2003.

And, recommend that **Senate Bill 47** (reference copy -- salmon) be amended as follows:

1. Page 3, line 5.

Strike: "\$8,000"

Insert: "\$25,000"

For the Senate:

Gebhardt, Chairman
Esp
Wheat

For the House:

Mendenhall, Chairman
Cyr
Morgan

MESSAGES FROM THE GOVERNOR

March 28, 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 683** sponsored by Representative Brueggeman on March 28, 2003.

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Sincerely,

JUDY MARTZ
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 771, introduced by Balyeat, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Brueggeman in the chair.

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

HB 124 - Representative A. Olson moved **HB 124** do pass. Motion carried as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, 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, Peterson, Raser, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 83

Noes: Andersen, Balyeat, D. Brown, Dickenson, Franklin, Fuchs, Golie, Jackson, Jayne, Pattison, Rice, Ryan, Sales, Sinrud, Small-Eastman, Smith, Wanzenried.
Total 17

Voted Absentee: Peterson, Weiss, Ayes; D. Brown, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 670 - Representative Buzzas moved **HB 670** do pass. Motion **failed** as follows:

Ayes: Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jacobson, Juneau, Kaufmann, Newman, Noennig, Raser, Shockley, Small-Eastman, Smith, Thomas, Wanzenried, Weiss.
Total 32

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Noes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Franklin, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Sinrud, Steinbeisser, Stoker, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 67

Voted Absentee: Weiss, Aye; D. Brown, Peterson, Noes.

Excused: None.
Total 0

Absent or not voting: Gillan.
Total 1

HB 713 - Representative Fuchs moved **HB 713** do pass. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Cohenour, Cyr, Devlin, Dickenson, Everett, Fisher, Forrester, Franklin, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 81

Noes: Ballantyne, Bixby, Buzzas, Carney, E. Clark, P. Clark, Dowell, Erickson, Facey, Fritz, Gutsche, Juneau, Kaufmann, Keane, Lawson, Parker, Ryan, Small-Eastman, Wanzenried.
Total 19

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 748 - Representative R. Brown moved consideration of **HB 748** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 379 - Representative R. Brown moved consideration of **HB 379** be passed for the day. Motion carried.

SB 13 - Representative Younkin moved **SB 13** 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, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan,

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Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, 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 95

Noes: Fisher, Jayne, Maedje, McKenney, Rice.
Total 5

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 35 - Representative Noennig moved **SB 35** be concurred in. Motion carried as follows:

Ayes: Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, 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, 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, Younkin, Mr. Speaker.
Total 95

Noes: Andersen, E. Clark, Fisher, Lewis, Witt.
Total 5

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 57 - Representative Newman moved **SB 57** 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,

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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, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: Witt.

Total 1

SB 66 - Representative Younkin moved **SB 66** 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, Schrupf, 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: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 80 - Representative Roberts moved **SB 80** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, 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, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice,

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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 96

Noes: Buzzas, Haines, Lawson.
Total 3

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

SB 85 - Representative Roberts moved **SB 85** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, 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, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Everett, Waitschies.
Total 3

SB 97 - Representative Laslovich moved **SB 97** 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, 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.

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Total 99

Noes: None.

Total 0

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

SB 126 - Representative Lake moved **SB 126** 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, Schrupf, 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: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 149 - Representative Jacobson moved **SB 149** 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, 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, 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

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: Erickson.
Total 1

SB 159 - Representative Forrester moved **SB 159** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Barrett, Sinrud.
Total 2

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 162 - Representative Andersen moved **SB 162** 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, 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 98

Noes: P. Clark.

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Total 1

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

SB 180 - Representative Brueggeman moved consideration of **SB 180** be placed below SB 413 on the second reading board. Motion carried.

SB 188 - Representative Bergren moved **SB 188** be concurred in. 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, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, 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, Sales, Sinrud.

Total 3

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

SB 211 - Representative Musgrove moved **SB 211** 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, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

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Noes: None.
Total 0

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 413 - Representative Jent moved **SB 413** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hurwitz, Jackson, Jacobson, Jent, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 82

Noes: Balyeat, Bixby, R. Brown, Buzzas, Devlin, Fuchs, Harris, Hedges, Jayne, Juneau, Kasten, Kaufmann, Lewis, Pattison, Ripley, Sales, Small-Eastman, Windy Boy.
Total 18

Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 180 - Representative Maedje moved **SB 180** 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, 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: Everett, Sinrud.
Total 2

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Voted Absentee: D. Brown, Peterson, Weiss, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 748 - Representative Devlin moved **HB 748** do pass.

Representative Carney moved **HB 748**, second reading copy, be amended as follows:

1. Page 3, line 15.

Strike: "and"

2. Page 3.

Following: line 15

Insert: "(iv) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 20-25-423; and"

Renumber: subsequent subsection

3. Page 3, line 21.

Strike: "and"

4. Page 3.

Following: line 21

Insert: "(iii) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 20-25-423; and"

Renumber: subsequent subsection

5. Page 3, line 25.

Strike: "and"

6. Page 3.

Following: line 25

Insert: "(ii) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 20-25-423; and"

Renumber: subsequent subsection

7. Page 24, line 28.

Strike: "and"

8. Page 24.

Following: line 28

Insert: "(iv) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 20-25-423; and"

Renumber: subsequent subsection

9. Page 25, line 9.

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Strike: "and"

10. Page 25.

Following: line 9

Insert: "(iii) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 20-25-423; and"

Renumber: subsequent subsection

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, 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, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Everett, Fuchs.

Total 2

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

Representative Smith moved **HB 748**, second reading copy, be further amended as follows:

1. Title, page 1, line 8.

Following: "TAXING UNITS;"

Insert: "PROVIDING THAT AVERAGE NUMBER BELONGING FIGURES BE USED IN DETERMINING THE DISTRIBUTION OF OIL AND NATURAL GAS PRODUCTION TAXES TO SCHOOL DISTRICTS IN A COUNTY;"

2. Page 5, line 16.

Strike: "(a)"

Following: "distribute"

Insert: "the school district share of"

3. Page 5, line 17.

Strike: "as provided in subsection (4)(b) through (4)(d)"

Insert: "in the proportion that the average number belonging in each school district bears to the total average number belonging in the county for the current school fiscal year"

4. Page 5, line 18 through page 6, line 4.

Strike: subsections (4)(b) through (4)(d) in their entirety

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5. Page 6, line 5 through line 6.

Strike: "subsections" on line 5 through "(4)(d)" on line 6

Insert: "subsection (4)"

Amendment **not** adopted as follows:

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

Total 38

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

Total 59

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

Motion that **HB 748**, as amended, do pass carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Bixby, Buzzas, Callahan, Golie, Juneau, A. Olson.

Total 6

Voted Absentee: D. Brown, Peterson, Weiss, 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.

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Mr. Speaker in the chair. Chairman Brueggeman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Branae, R. Brown, Brueggeman, 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, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 82

Noes: Balyeat, Bixby, Buzzas, Callahan, Franklin, Gillan, Golie, Jayne, Juneau, Kaufmann, Lindeen, Ryan, Wanzenried.

Total 13

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: Bookout-Reinicke, Schrupf.

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:

SB 302 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, 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, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 96

Noes: Lake.

Total 1

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

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HB 249 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Erickson, Everett, Fritz, Fuchs, Gallik, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 64

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Facey, Fisher, Forrester, Franklin, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jayne, Jent, Juneau, Laszloffy, Lenhart, Matthews, Musgrove, Parker, Raser, Wanzenried, Wilson, Windy Boy.

Total 33

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

HB 727 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, E. Clark, Dickenson, Everett, Facey, Fisher, Fuchs, Gallik, Gallus, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lake, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Raser, Ripley, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Stoker, Thomas, Wagman, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 63

Noes: Bergren, Bixby, Carney, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Forrester, Franklin, Fritz, Galvin-Halcro, Gillan, Gutsche, Harris, Kasten, Keane, Lambert, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Parker, Rice, Roberts, Ryan, Small-Eastman, Smith, Steinbeisser, Waitschies, Wanzenried, Wilson.

Total 34

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

HB 756 passed as follows:

Ayes: Ballantyne, Becker, Bergren, Bitney, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lange, Laslovich, Lawson, Lehman, Lewis, Lindeen, Malcolm, McKenney, Musgrove, Newman, Noennig, Parker, Raser, Ripley, Rome, Ryan, Shockley, Small-Eastman, Smith, Steinbeisser, Wanzenried, Wilson, Windy Boy.

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Total 59

Noes: Andersen, Balyeat, Barrett, Bookout-Reinicke, R. Brown, E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Hurwitz, Jackson, Kasten, Lake, Lambert, Laszloffy, Lenhart, Maedje, Matthews, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Rice, Roberts, Ross, Sales, Schruppf, Sinrud, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 38

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

HB 761 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Branae, 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, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Becker, Bookout-Reinicke, Malcolm, Smith.

Total 4

Excused: D. Brown, Peterson, Weiss.

Total 3

Absent or not voting: None.

Total 0

HB 295 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, 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, 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, Raser, Roberts, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 90

Noes: Barrett, Devlin, Jayne, Rice, Ripley, Rome, Smith.

Total 7

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Excused: D. Brown, Peterson, Weiss.
Total 3

Absent or not voting: None.
Total 0

FIRST READING AND COMMITMENT OF BILLS

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

HB 772, introduced by Balyeat, referred to Taxation.

MOTIONS

Representative Laszloffy moved **SB 359** be taken from the table in the Committee on Transportation and be placed on second reading Legislative Day 68.

Representative Gallus moved previous question.

Motion (requiring 3/5 vote) **failed** as follows:

Ayes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, 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, Jent, Juneau, Kaufmann, Laslovich, Laszloffy, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Roberts, Ryan, Schruppf, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 56

Noes: Andersen, Barrett, Bitney, Brueggeman, E. Clark, Devlin, Everett, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Jayne, Kasten, Keane, Lake, Lambert, Lange, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Rice, Ripley, Rome, Ross, Sales, Shockley, Sinrud, Steinbeisser, Waitschies, Witt.
Total 41

Excused: D. Brown, Peterson, Weiss.
Total 3

Absent or not voting: None.
Total 0

Representative R. Brown moved **SB 35** be taken from third reading and be rereferred to the Committee on Appropriations. There being no objection, so ordered.

Representative R. Brown moved to postpone consideration on **HB 379** until Legislative Day 69.

Representative P. Clark made a substitute motion that **HB 379** be taken from second reading and be rereferred to the Committee on Appropriations. Motion carried as follows:

Ayes: Ballantyne, Balyeat, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson,

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Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lewis, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Sales, Shockley, Sinrud, Wanzenried, Wilson, Windy Boy.
Total 49

Noes: Andersen, Barrett, Bergren, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Harris, Hawk, Hedges, Hurwitz, Jackson, Juneau, Lake, Lambert, Lange, Laszloffy, Lehman, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 48

Excused: D. Brown, Peterson, Weiss.
Total 3

Absent or not voting: None.
Total 0

Representative Maedje moved to suspend the rules for the late drafting and transmittal of a bill. Motion **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, E. Clark, Devlin, Fisher, Forrester, Franklin, Fuchs, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jayne, Lake, Lambert, Lange, Laszloffy, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Younkin, Mr. Speaker.
Total 46

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, Musgrove, Newman, B. Olson, Parker, Pattison, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Wilson, Windy Boy, Witt.
Total 50

Excused: D. Brown, Peterson, Weiss.
Total 3

Absent or not voting: Everett.
Total 1

Representative A. Olson move **SB 239** be taken from the consent calendar and be rereferred to the Committee on State Administration. There being no objection, so ordered.

SPECIAL ORDERS OF THE DAY

Mr. Speaker and Representative Jacobson led the House in singing Happy Birthday to Representative Stoker and Representative Facey.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 12:00 p.m., Monday, March 31, 2003. Motion carried.

House adjourned at 10:18 a.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House