

**HOUSE JOURNAL  
58TH LEGISLATURE  
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 3, 2003

House Chambers  
State Capitol

House convened at 8:03 a.m. Mr. Speaker in the Chair. Invocation by Representative Lehman. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-fourth, sixty-fifth, sixty-sixth, and sixty-seventh legislative days, find the same to be correct.

Bookout-Reinicke, Chair

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 4/3/2003  
Correctly printed: **HB 773, HJR 36, SB 209, SB 284, SB 389, SB 393, SB 432.**  
Correctly engrossed: **SB 46, SB 62, SB 112, SB 239, SB 246, SB 252, SB 308, SB 330, SB 336, SB 340, SB 370, SB 395, SB 402, SB 442, SB 444.**  
Examined by the sponsor and found to be correct: **HB 41, HB 160, HB 287, HB 306, HB 417, HB 507, HB 684, HB 693.**

**STATE ADMINISTRATION** (Barrett, Chairman): 4/2/2003

**HR 4**, introduced resolution, be amended as follows:

1. Page 1, line 10.  
**Following:** "Corps,"  
**Insert:** "Coast Guard,"

2. Page 2, line 2.  
**Strike:** "in the Persian Gulf region"

And, as amended, be adopted. Report adopted.

**MESSAGES FROM THE GOVERNOR**

April 2, 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 373** sponsored by Representative A. Olson et al. and **House Bill 616**

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sponsored by Representative Younkin on April 2, 2003.

Sincerely,

JUDY MARTZ  
Governor

April 2, 2003

The Honorable Doug Mood  
Speaker of the House  
State Capitol  
Helena, Montana 59620

The Honorable Bob Keenan  
President of the Senate  
State Capitol  
Helena, Montana 59620

Dear Speaker Mood and President Keenan:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 185, **"AN ACT GENERALLY REVISING LAWS GOVERNING COMMERCIAL DRIVER LICENSING TO CONFORM WITH REQUIREMENTS OF THE FEDERAL MOTOR CARRIER SAFETY IMPROVEMENT ACT OF 1999 (MCSIA) AND THE FEDERAL REGULATIONS IMPLEMENTING MCSIA; DEFINING "NONCOMMERCIAL MOTOR VEHICLE"; REVISING THE DEFINITIONS OF "COMMERCIAL MOTOR VEHICLE" AND "COMMERCIAL DRIVER'S LICENSE"; CLARIFYING THE REQUIREMENTS FOR OPERATION OF A COMMERCIAL MOTOR VEHICLE; REVISING THE REQUIREMENTS GOVERNING THE APPLICATION FOR AND RENEWAL OF A COMMERCIAL DRIVER'S LICENSE; REVISING REQUIREMENTS FOR REQUESTING DRIVING RECORDS FROM A PRIOR STATE OF LICENSURE; REVISING LICENSE SUSPENSION PERIODS AND COMPUTATION REQUIREMENTS FOR NONCOMMERCIAL AND COMMERCIAL MOTOR VEHICLE IMPLIED CONSENT LAWS; REVISING REQUIREMENTS FOR SUSPENSION OF A COMMERCIAL DRIVER'S LICENSE FOR MAJOR OFFENSES OR FOR CONDUCT OCCURRING WHILE OPERATING A NONCOMMERCIAL MOTOR VEHICLE; CLARIFYING THE REQUIREMENTS FOR SUSPENSION OF A COMMERCIAL DRIVER'S LICENSE FOR A PERSON WHO OPERATES A COMMERCIAL MOTOR VEHICLE WITHOUT A COMMERCIAL DRIVER'S LICENSE OR PROPER ENDORSEMENT OR WHILE THE PERSON'S COMMERCIAL DRIVER'S LICENSE IS SUSPENDED; INCLUDING NONCOMMERCIAL MOTOR VEHICLE OFFENSES IN THE LIST OF FELONY-DRUG OFFENSES FOR WHICH SUSPENSION OF A COMMERCIAL DRIVER'S LICENSE IS REQUIRED; AMENDING SECTIONS 61-1-134, 61-1-135, 61-5-102, 61-5-107, 61-5-110, 61-5-111, 61-5-112, 61-5-118, 61-5-212, 61-8-402, 61-8-802, 61-8-803, 61-8-804, 61-8-805, 61-8-806, AND 61-11-102, MCA; REPEALING SECTION 61-5-117, MCA; AND PROVIDING APPLICABILITY DATES"** for the following reasons.

I have no concerns with the objectives of House Bill No. 185, or with its specific measures. I recommend, however, that Section 5 (2) be amended to read that the commercial driver's license means the privilege of a person to drive a commercial motor vehicle, whether or not the person holds a valid commercial driver's license.

I have enclosed my amendment to that effect. Please be advised that the Department of Justice concurs with this

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amendment. Further, please be advised that Representative Wilson, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ  
Governor

GOVERNOR'S AMENDMENTS  
TO HOUSE BILL 185

1. Page 4, line 8.  
**Strike:** "motor vehicle"  
**Insert:** "driver's"

Majority Leader Brown moved that the House recess until 8:40 a.m. for caucuses. Motion carried.

House recessed at 8:08 a.m.

House reconvened at 8:44 a.m. All members present. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 4/3/2003  
Examined by the sponsor and found to be correct: **HB 389, HB 438, HB 479, HB 496, HB 617, HB 686, HB 731.**

**STATE ADMINISTRATION** (Barrett, Chairman): 4/2/2003  
**SB 428**, be amended as follows:

1. Page 1, line 25.  
**Following:** "."  
**Insert:** "After a commission has been appointed, laws to change the districting and apportionment process or interpret criteria may only be applied to a succeeding commission."

2. Page 2, line 10 through line 28.  
**Strike:** subsections (8) through (11) in their entirety

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

**SB 429**, be concurred in. Report adopted.

**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:

**SJR 14** concurred in as follows:

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

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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, 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: Malcolm.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 758** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jayne, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 58

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lewis, Mendenhall, Musgrove, Newman, Noennig, Parker, Raser, Sales, Small-Eastman, Waitschies, Wanzenried, Weiss, Wilson.  
Total 42

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 767** passed 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, 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, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

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Total 94

Noes: Balyeat, P. Clark, Franklin, Jayne, Sales, Sinrud.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 24** concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Laslovich, Lawson, Lehman, Lenhart, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Wilson, Windy Boy, Witt.

Total 69

Noes: Balyeat, Bookout-Reinicke, D. Brown, R. Brown, Cyr, Everett, Fisher, Forrester, Fuchs, Jackson, Kasten, Lambert, Lange, Laszloffy, Lewis, Lindeen, Maedje, Malcolm, Morgan, Pattison, Raser, Rice, Ripley, Sales, Sinrud, Steinbeisser, Wagman, Waitschies, Weiss, Younkin, Mr. Speaker.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 86** 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, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.  
Total 0

**SB 135** 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, 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, Wilson, Witt, Younkin, Mr. Speaker.  
Total 97

Noes: Franklin, Weiss, Windy Boy.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 197** concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Dowell, Everett, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 69

Noes: Bergren, Bixby, Branae, D. Brown, Buzzas, Callahan, P. Clark, Cohenour, Cyr, Dickenson, Erickson, Facey, Franklin, Gallik, Gibson, Gillan, Golie, Gutsche, Harris, Jent, Juneau, Kasten, Kaufmann, Keane, Lindeen, Musgrove, Newman, Small-Eastman, Wanzenried, Weiss, Wilson.  
Total 31

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 226** 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,

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

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 230** concurred in 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, 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Balyeat, Sales.

Total 2

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

**SB 231** concurred in 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, 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, 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, Mr. Speaker.

Total 95

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Noes: Balyeat, Everett, Gallus, Mendenhall, Sales.  
Total 5

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 241** concurred in 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 99

Noes: Balyeat.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 249** concurred in as follows:

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

Noes: Balyeat, Bixby, Branae, Buzzas, Carney, Erickson, Facey, Fisher, Galvin-Halcro, Gutsche, Harris, Jayne, Kaufmann, Musgrove, Sales, Small-Eastman, Wanzenried, Windy Boy.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.



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Total 0

**SB 254** concurred in 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, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

Total 89

Noes: Balyeat, Everett, Fisher, Fuchs, Golie, Jayne, Kasten, Lake, Laszloffy, Sales, Windy Boy.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** 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, 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

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 401** concurred in as follows:

Ayes: Andersen, Ballantyne, 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,

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Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, 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, 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 92

Noes: Balyeat, D. Brown, Hawk, Jayne, Lewis, Pattison, Sales, Sinrud.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 423** concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Erickson, Everett, Fisher, Fritz, Fuchs, Galvin-Halcro, Gibson, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 59

Noes: Balyeat, Becker, Bergren, Bixby, Buzzas, Callahan, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Facey, Forrester, Franklin, Gallik, Gallus, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lange, Lindeen, Malcolm, Musgrove, Newman, Parker, Raser, Ryan, Sales, Sinrud, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 441** 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, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, 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 96

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Noes: Everett, Hawk, Mendenhall, Sinrud.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 445** concurred in as follows:

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

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

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 447** 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, 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, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 96

Noes: Erickson, Jayne, Wanzenried, Weiss.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.

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Total 0

**SB 460** concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 76

Noes: Becker, Bixby, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Franklin, Gallik, Gillan, Golie, Gutsche, Harris, Kaufmann, Laslovich, Musgrove, Raser, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

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

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

**SB 37** - Representative Younkin moved consideration of **SB 37** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

**SB 130** - Representative Peterson moved **SB 130** be concurred in.

Representative P. Clark moved **SB 130**, second reading copy, be amended as follows:

1. Title, line 13 through line 16.

**Strike:** "10" on line 13 through "PERCENT" on line 16

**Insert:** "ALL"

2. Page 3, line 12 through line 14.

**Strike:** "TEN" on line 12 through "90%" on line 14

**Insert:** "All of the gross receipts from the agreement"

3. Page 3, line 15.

**Following:** the last "trusts"

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**Insert:** ", in accordance with Article X, section 5, of the Montana constitution. The department may not deduct any amount for administrative purposes prior to allocating the gross receipts to the respective trusts"

4. Page 8, line 26 through line 28.

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

**Renumber:** subsequent subsections

5. Page 8, line 25.

**Following:** "and"

**Insert:** "and"

Amendment adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hedges, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lindeen, Matthews, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Witt.

Total 51

Noes: Andersen, Balyeat, Barrett, Bitney, Brueggeman, E. Clark, Devlin, Fisher, Fuchs, Gillan, Golie, Hawk, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Maedje, Malcolm, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Younkin, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

Motion that **SB 130**, as amended, be concurred in carried as follows:

Ayes: Ballantyne, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Carney, Dickenson, Everett, Facey, Fisher, Forrester, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hurwitz, Jacobson, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, B. Olson, Parker, Peterson, Roberts, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Stoker, Thomas, Wagman, Wilson, Younkin, Mr. Speaker.

Total 55

Noes: Andersen, Balyeat, Barrett, Becker, Bixby, Buzzas, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Franklin, Fritz, Gallus, Gutsche, Harris, Hawk, Hedges, Jackson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lehman, Maedje, Newman, A. Olson, Pattison, Raser, Rice, Ripley, Rome, Small-Eastman, Smith, Steinbeisser, Waitschies, Wanzenried, Weiss, Windy Boy, Witt.

Total 44

Excused: None.

Total 0

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Absent or not voting: R. Brown.  
Total 1

**SB 168** - Representative Becker moved **SB 168** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, 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, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.  
Total 88

Noes: Balyeat, Bergren, Fuchs, Hedges, Lawson, Maedje, Raser, Shockley, Witt.  
Total 9

Excused: None.  
Total 0

Absent or not voting: D. Brown, Gallus, Golie.  
Total 3

**SB 35** - Representative Younkin moved consideration of **SB 35** be placed below SB 77 on the second reading board. Motion carried.

**SB 77** - Representative A. Olson moved **SB 77** 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, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.  
Total 94

Noes: Sales, Shockley.  
Total 2

Excused: None.  
Total 0

Absent or not voting: Bookout-Reinicke, Jent, Peterson, Witt.  
Total 4

**SB 35** - Representative Noennig moved **SB 35** be concurred in. Motion carried 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, 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 98

Noes: Cohenour.

Total 1

Excused: None.

Total 0

Absent or not voting: Forrester.

Total 1

**SB 95** - Representative Windy Boy moved **SB 95** 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, 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, 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, Mr. Speaker.

Total 96

Noes: Fisher, Franklin, Lawson, Sales.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 111** - Representative Franklin moved **SB 111** 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker,

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Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 99

Noes: Sales.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 191** - Representative Jent moved **SB 191** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, 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, 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 95

Noes: Juneau.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Barrett, Buzzas, Gallus, Hurwitz.  
Total 4

**SB 194** - Representative Younkin moved **SB 194** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 56

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

Excused: None.



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Total 0

Absent or not voting: None.

Total 0

**SB 217** - Representative Bergren moved **SB 217** 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, P. Clark, Cohenour, Cyr, Dickenson, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Ross, Ryan, Schrupf, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 79

Noes: Balyeat, Barrett, E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Jackson, Kasten, Lewis, Mendenhall, Rice, Ripley, Rome, Sales, Shockley, Sinrud, Steinbeisser, Waitschies.

Total 20

Excused: None.

Total 0

Absent or not voting: Dowell.

Total 1

**SB 247** - Representative R. Brown moved consideration of **SB 247** be placed below SB 288 on the second reading board. Motion carried.

**SB 263** - Representative Lange moved **SB 263** 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, Raser, 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 97

Noes: Rice.

Total 1

Excused: None.

Total 0

Absent or not voting: Peterson, Witt.

Total 2

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**SB 449** - Representative Raser moved **SB 449** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Branae, R. Brown, 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, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lenhart, Lindeen, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.

Total 78

Noes: Balyeat, Barrett, D. Brown, Everett, Fisher, Fuchs, Kasten, Lawson, Lehman, Lewis, Maedje, Malcolm, Pattison, Rice, Ripley, Sales, Sinrud, Steinbeisser, Waitschies.

Total 19

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Brueggeman, Mr. Speaker.

Total 3

**SB 274** - Representative Laszloffy moved **SB 274** be concurred in. Motion carried as follows:

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

Total 51

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

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 275** - Representative Jent moved **SB 275** 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, Fritz, Fuchs, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman,

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Total 93

Noes: Buzzas, Franklin, Gallik, Kaufmann, Lambert, Wanzenried.

Total 6

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

**SB 288** - Representative Laslovich moved **SB 288** 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, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, 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, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 96

Noes: Dickenson, Franklin, Golie, Thomas.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 247** - Representative A. Olson moved **SB 247** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hurwitz, Jackson, Jacobson, Juneau, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 82

Noes: P. Clark, Cyr, Dickenson, Fisher, Gallik, Haines, Hawk, Hedges, Jayne, Jent, Kaufmann, Keane, Newman, Small-Eastman, Wanzenried, Weiss.

Total 16

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Excused: None.  
Total 0

Absent or not voting: Bixby, Shockley.  
Total 2

**SB 295** - Representative Laszloffy moved consideration of **SB 295** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

**SB 304** - Representative Morgan moved **SB 304** be concurred in.

Representative Bookout-Reinicke moved **SB 304**, second reading copy, be amended as follows:

1. Title, line 8.

**Following:** "POOL;"

**Insert:** "REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY TO PROVIDE SUPPORT TO THE COMMITTEE;"

2. Page 2, line 2.

**Strike:** "STATE FUND"

**Insert:** "department of labor and industry"

Amendment adopted as follows:

Ayes: Ballantyne, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Brueggeman, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hedges, Hurwitz, Jacobson, Jent, Juneau, Laslovich, Lehman, Lenhart, Matthews, Musgrove, Newman, Noennig, Parker, Pattison, Raser, Rice, Ross, Ryan, Schrupf, Sinrud, Small-Eastman, Smith, Wagman, Wanzenried, Wilson, Mr. Speaker.

Total 53

Noes: Andersen, Balyeat, Bitney, D. Brown, R. Brown, Buzzas, E. Clark, Devlin, Erickson, Everett, Fuchs, Gallus, Haines, Hawk, Jackson, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lewis, Lindeen, Maedje, Malcolm, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Peterson, Ripley, Roberts, Rome, Sales, Shockley, Steinbeisser, Stoker, Thomas, Waitschies, Weiss, Windy Boy, Witt, Younkin.

Total 46

Excused: None.  
Total 0

Absent or not voting: Jayne.  
Total 1

Motion that **SB 304**, as amended, be concurred in carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Galvin-Halcro, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney,

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Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ryan, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Younkin, Mr. Speaker.

Total 79

Noes: Becker, Bixby, Branae, D. Brown, Buzzas, Cohenour, Dickenson, Gallik, Gallus, Gibson, Gutsche, Harris, Jacobson, Juneau, Laslovich, B. Olson, Ross, Small-Eastman, Smith, Windy Boy, Witt.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 315** - Representative Golie moved **SB 315** 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, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, 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, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin.

Total 92

Noes: Balyeat, Fuchs, Hawk, Lake, Sales, Sinrud, Wilson.

Total 7

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

**SB 321** - Representative Lambert moved **SB 321** 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, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin.

Total 85

Noes: Callahan, Carney, Cyr, Galvin-Halcro, Jayne, Kaufmann, Keane, Lindeen, Newman, A. Olson, Small-Eastman, Weiss, Windy Boy.

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Total 13

Excused: None.

Total 0

Absent or not voting: Wanzenried, Mr. Speaker.

Total 2

**SB 325** - Representative Noennig moved **SB 325** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, 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, Maedje, Malcolm, Matthews, McKenney, Mendenhall, 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, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Bergren, Callahan, Lindeen.

Total 3

Excused: None.

Total 0

Absent or not voting: Erickson, Gillan, Morgan, Wanzenried.

Total 4

**SB 406** - Representative Noennig moved **SB 406** be concurred in.

Representative Noennig moved **SB 406**, second reading copy, be amended as follows:

1. Page 3, line 1.

**Strike:** "conveyed"

**Insert:** "given or to a purchaser upon foreclosure of the mortgage, lien, or trust indenture"

Amendment adopted 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, 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, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, 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, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

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Noes: Buzzas, Galvin-Halcro, Lindeen, Musgrove, Weiss.  
Total 5

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Motion that **SB 406**, as amended, be concurred in 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, 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, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: Weiss.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Buzzas.  
Total 1

**SB 326** - Representative Gillan moved **SB 326** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, 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, Lake, Lambert, Lange, Laszloffy, Lehman, Lenhart, Lewis, 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, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 89

Noes: Becker, Callahan, Dickenson, Keane, Laslovich, Lawson, Lindeen, Malcolm, Weiss.  
Total 9

Excused: None.  
Total 0

Absent or not voting: Brueggeman, Peterson.

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Total 2

**SB 329** - Representative Facey moved **SB 329** 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.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

**SB 334** - Representative Matthews moved **SB 334** 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, 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, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Buzzas, Stoker, Weiss.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 337** - Representative Matthews moved **SB 337** be concurred in.

Representative Galvin-Halcro moved **SB 337**, second reading copy, be amended as follows:

1. Title, line 6.



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**Strike:** the second "THAT"

2. Title, line 7.

**Strike:** "RATHER THAN"

**Insert:** "IN ADDITION TO"

**Strike:** "IS THE PROXIMATE"

**Insert:** "IN DETERMINING THE"

3. Page 2, line 2.

**Strike:** "that"

**Strike:** "rather than"

**Insert:** "in addition to"

4. Page 2, line 3.

**Strike:** "is the proximate"

**Insert:** "in determining the"

5. Page 2, line 4.

**Strike:** "an intoxicated person"

**Insert:** "the consumer"

6. Page 2, line 6.

**Strike:** "the person furnishing the alcohol"

7. Page 2, line 7 through line 8.

**Strike:** "willfully" on line 7 through "years" on line 8

**Insert:** "the consumer was under the legal age and the furnishing person knew or should have known that the consumer was under age"

8. Page 2, line 9 through line 10.

**Strike:** "the consumption" on line 9 through "alcohol" on line 10

**Insert:** "the furnishing person forced or coerced the consumption or told the consumer that the beverage contained no alcohol while knowing that it did contain alcohol"

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

Total 98

Noes: Sales.

Total 1

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Excused: None.  
Total 0

Absent or not voting: Balyeat.  
Total 1

Motion that **SB 337**, as amended, be concurred in carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Dickenson, Dowell, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.  
Total 74

Noes: Buzzas, Callahan, P. Clark, Cohenour, Cyr, Erickson, Facey, Gallik, Gibson, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Musgrove, Newman, Small-Eastman, Smith, Thomas, Wanzenried, Weiss, Windy Boy.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 344** - Representative Hawk moved **SB 344** 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, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, 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 97

Noes: Buzzas, Franklin, Harris.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 347** - Representative Roberts moved **SB 347** be concurred in.

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Representative Roberts moved **SB 347**, second reading copy, be amended as follows:

1. Page 6, line 13 through line 14.

**Following:** "ACT" on line 13

**Strike:** remainder of line 13 through "18-4-306" on line 14

2. Page 6, line 17.

**Strike:** "THE PURPOSES OF THIS SECTION AND"

Amendment adopted 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, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, 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 95

Noes: Buzzas, Franklin, Hawk, Lewis.

Total 4

Excused: None.

Total 0

Absent or not voting: Cyr.

Total 1

Motion that **SB 347**, as amended, 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, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, 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, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Haines, Lenhart, Rice.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

**SB 348** - Representative Becker moved **SB 348** 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, 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, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Buzzas, Jayne.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 349** - Representative Rome moved **SB 349** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, 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, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, 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, Mr. Speaker.

Total 95

Noes: Balyeat, Buzzas, Jayne, Keane, Sales.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 360** - Representative Maedje moved **SB 360** be concurred in.

Representative Maedje moved **SB 360**, second reading copy, be amended as follows:

1. Title, page 1, line 8 through line 9.

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**Strike:** "AN" on line 8 through "IMMEDIATE" on line 9

**Insert:** "A DELAYED"

2. Page 3, line 26.

**Strike:** "on passage and approval"

**Insert:** "July 1, 2005"

Amendment adopted 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, 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, 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 95

Noes: Barrett, Cohenour, Gallik, Rice, Smith.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 360**, as amended, be concurred in carried as follows:

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

Total 58

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

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 362** - Representative Shockley moved **SB 362** be concurred in.

Representative Laslovich moved **SB 362**, second reading copy, be amended as follows:

1. Title, page 1, line 7 through line 10.

**Strike:** "MAKING" on line 7 through "SUBSTANCE:" on line 10

2. Page 1, line 23.

**Strike:** "(A)"

3. Page 2, line 1 through line 4.

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

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gutsche, Harris, Hurwitz, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, A. Olson, Pattison, Peterson, Raser, Rice, Ripley, Ross, Ryan, Schrumpf, Smith, Steinbeisser, Wanzenried, Weiss, Wilson, Windy Boy, Mr. Speaker.

Total 65

Noes: Barrett, Bitney, R. Brown, Buzzas, Dickenson, Fisher, Franklin, Gillan, Golie, Haines, Hawk, Hedges, Jackson, Juneau, Lange, Laszloffy, Lawson, Lewis, Mendenhall, Newman, Noennig, B. Olson, Parker, Roberts, Rome, Sales, Shockley, Sinrud, Small-Eastman, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Gallus moved **SB 362**, second reading copy, be further amended as follows:

1. Page 2, line 8.

**Following:** "~~and~~"

**Insert:** "and"

2. Page 2, line 12 through line 14.

**Following:** "available;"

**Strike:** remainder of line 12 through "SUBSECTION (2)(B):" on line 14

3. Page 2, line 21.

**Following:** "~~and~~"

**Insert:** "and"

4. Page 2, line 22 through line 24.

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

**Renumber:** subsequent subsection

5. Page 3, line 5 through line 7.

**Following:** "appropriate." on line 5

**Strike:** remainder of line 5 through line 7 in their entirety

6. Page 6, line 29 through line 30.

**Following:** "state" on line 29

**Strike:** remainder of line 29 through "45-5-624" on line 30

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, 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, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Mendenhall, Pattison, Sales, Sinrud, Thomas.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 362**, as amended, be concurred in carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Younkin, Mr. Speaker.

Total 77

Noes: Barrett, Bergren, Callahan, Fisher, Forrester, Fuchs, Hurwitz, Jayne, Keane, Lambert, Lange, Lindeen, Matthews, McKenney, Musgrove, Newman, Parker, Rice, Ripley, Ryan, Windy Boy, Witt.

Total 22

Excused: None.

Total 0

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Absent or not voting: Gallus.  
Total 1

**SB 364** - Representative P. Clark moved **SB 364** be concurred in.

Representative P. Clark moved **SB 364**, second reading copy, be amended as follows:

1. Page 2, line 20.

**Strike:** "or allowing a child to be exposed to"

Amendment adopted as follows:

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

Total 86

Noes: Bergren, R. Brown, Callahan, Cohenour, Forrester, Franklin, Gallik, Gillan, Golie, Hurwitz, Lange, Raser, Sales, Smith.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 364**, as amended, 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, 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, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: Wanzenried.

Total 1

Excused: None.

Total 0



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Absent or not voting: None.  
Total 0

**SB 366** - Representative Mendenhall moved **SB 366** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Dowell, Everett, Fisher, Forrester, Franklin, Fuchs, Gallus, Galvin-Halcro, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.  
Total 69

Noes: Bergren, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Erickson, Facey, Fritz, Gallik, Gibson, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Musgrove, Noennig, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Windy Boy.  
Total 30

Excused: None.  
Total 0

Absent or not voting: Bookout-Reinicke.  
Total 1

**SB 375** - Representative Brueggeman moved **SB 375** 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, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.  
Total 95

Noes: Harris, Lambert, Lewis, Rice.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Windy Boy.  
Total 1

**SB 380** - Representative Lake moved **SB 380** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Facey, Franklin, Gallik, Gallus, Galvin-Halcro,

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Gibson, Gillan, Gutsche, Hawk, Hurwitz, Jackson, Jacobson, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, B. Olson, Parker, Peterson, Raser, Rice, Rome, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Wilson, Witt, Younkin, Mr. Speaker.

Total 70

Noes: Balyeat, Barrett, Bookout-Reinicke, E. Clark, Cyr, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Golie, Haines, Harris, Hedges, Jayne, Jent, Lehman, Lewis, A. Olson, Pattison, Ripley, Roberts, Ross, Sales, Steinbeisser, Wagman, Waitschies, Weiss, Windy Boy.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 387** - Representative Matthews moved **SB 387** 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, 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, 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, Mr. Speaker.

Total 95

Noes: Balyeat, Everett, Kasten, Lewis, Sales.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 400** - Representative Facey moved **SB 400** 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, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

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Noes: Shockley.  
Total 1

Excused: None.  
Total 0

Absent or not voting: McKenney.  
Total 1

**SB 409** - Representative Lange moved **SB 409** be concurred in.

Representative Small-Eastman moved **SB 409**, second reading copy, be amended as follows:

1. Page 3, line 11.

**Strike:** "THIS SECTION"

**Insert:** "[sections 1 and 2], 77-1-121, and 77-3-301"

2. Page 3, line 12.

**Following:** "AGREEMENT"

**Insert:** "entered into on February 19, 2002,"

**Strike:** "THIS SECTION"

**Insert:** "[sections 1 and 2], 77-1-121, and 77-3-301"

3. Page 3.

**Following:** line 14

**Insert:** "(5) The department shall negotiate and enter into a memorandum of understanding with the Northern Cheyenne tribe that ensures that the department will meaningfully and effectively consult with the Northern Cheyenne tribe and provide necessary resources to the tribe in order for the tribe to be able to participate in an informed manner in the development of property interests acquired from the federal government in the Crown Butte land exchange.

(6) The department shall promptly notify the Northern Cheyenne tribe of any application or document submitted to the department or any proposal or management activity adopted by the department concerning a sale, exchange, right-of-way, easement, placement of an improvement, lease, license, or permit in connection with the property interests acquired from the federal government in the Crown Butte land exchange."

4. Page 5.

**Following:** line 5

**Insert:** "NEW SECTION. Section 7. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

**Renumber:** subsequent section

Amendment **not** adopted as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 47

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

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wagman moved for cloture. Motion carried.

Motion that **SB 409** be concurred in carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Witt, Younkin, Mr. Speaker.

Total 71

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gibson, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Malcolm, Musgrove, Small-Eastman, Smith, Weiss, Windy Boy.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Newman excused at this time.

**SB 363** - Representative Brueggeman moved **SB 363** be concurred in. Motion carried as follows:

Ayes: 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, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Witt, 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,

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Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Shockley, Small-Eastman, Smith, Weiss, Wilson, Windy Boy, Younkin.  
Total 47

Voted Absentee: Newman, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 295** - Representative Laszloffy moved **SB 295** be concurred in.

Representative Laszloffy moved consideration of **SB 295** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

**SB 270** - Representative Galvin-Halcro moved **SB 270** 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, Facey, 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, Lindeen, Maedje, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 85

Noes: Balyeat, Brueggeman, Erickson, Everett, Fisher, Kasten, Lewis, Malcolm, Mendenhall, Pattison, Rice, Sales, Shockley, Sinrud, Waitschies.  
Total 15

Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 282** - Representative Laslovich moved **SB 282** 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, Facey, Fisher, Forrester, Franklin, Fritz, 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, Mendenhall, 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,

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Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 94

Noes: Balyeat, Everett, Fuchs, Hawk, Kasten, Sales.  
Total 6

Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 283** - Representative Shockley moved **SB 283** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 99

Noes: Weiss.  
Total 1

Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 295** - Representative Laszloffy moved consideration of **SB 295** be placed at the top of the second reading board. Motion carried.

Representative Laszloffy moved **SB 295** be concurred in.

Representative Facey moved for cloture. Motion carried.

Motion that **SB 295** be concurred in **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, P. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Pattison, Peterson, Rice, Roberts, Rome, Ross, Sales,

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Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 48

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lehman, Lindeen, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Raser, Ripley, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 52

Voted Absentee: Newman, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 292** - Representative Bitney moved **SB 292** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 82

Noes: Balyeat, Becker, Bixby, R. Brown, Callahan, Dickenson, Dowell, Erickson, Fisher, Gutsche, Jayne, Juneau, Kaufmann, Malcolm, Sales, Small-Eastman, Wanzenried, Weiss.  
Total 18

Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 306** - Representative Galvin-Halcro moved **SB 306** 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, 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,

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Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Balyeat, Everett, Jackson, Sales, Stoker, Weiss.

Total 6

Voted Absentee: Newman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 307** - Representative Galvin-Halcro moved **SB 307** 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, 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: Newman, Aye.

Excused: None.

Total 0

Absent or not voting: P. Clark.

Total 1

**SB 316** - Representative Bitney moved **SB 316** 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, 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, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98



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Noes: Weiss.  
Total 1

Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

Absent or not voting: P. Clark.  
Total 1

**SB 331** - Representative Franklin moved **SB 331** 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, 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, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.  
Total 95

Noes: Balyeat, Fuchs, Sales.  
Total 3

Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

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

**SB 341** - Representative Bitney moved **SB 341** 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, 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, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: Morgan, Weiss.  
Total 2

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Voted Absentee: Newman, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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

Representative Laszloffy made a **substitute motion** that **SB 295** be segregated from the Committee of the Whole report. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 52

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Musgrove, B. Olson, Parker, Raser, Ryan, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 46

Excused: Newman.  
Total 1

Absent or not voting: Sinrud.  
Total 1

Representative Gallik made a **substitute motion** that **SB 363** be segregated from the Committee of the Whole report. 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, Laszloffy, Lenhart, Lindeen, Musgrove, Noennig, Parker, Raser, 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, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 52

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Excused: Newman.  
Total 1

Absent or not voting: Sinrud.  
Total 1

The remainder of the report was adopted as follows:

Ayes: 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, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.  
Total 55

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, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.  
Total 43

Excused: Newman.  
Total 1

Absent or not voting: Sinrud.  
Total 1

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 4/3/2003  
Signed by the Speaker at 7:50 a.m., April 3, 2003: **HB 41, HB 160, HB 287, HB 306, HB 389, HB 417, HB 438, HB 479, HB 496, HB 507, HB 617, HB 684, HB 686, HB 693, HB 731.**  
Delivered to the Secretary of State at 1:28 p.m., April 3, 2003: **HB 306.**

**EDUCATION** (Andersen, Chairman): 4/3/2003  
**SB 424**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "~~RIDERSHIP~~;"

**Insert:** "REVISING THE SCHEDULE FOR STATE AND COUNTY TRANSPORTATION REIMBURSEMENT;  
ELIMINATING WEIGHTED RIDERSHIP;"

2. Title, page 1, line 9.

**Strike:** "AND"

3. Title, page 1, line 10.

**Following:** "~~20-10-141~~;"

**Insert:** "20-10-101, AND 20-10-141,"

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4. Page 6, line 21.

**Following:** line 20

**Insert: "Section 4.** Section 20-10-101, MCA, is amended to read:

**"20-10-101. Definitions.** As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Bus route" means a route approved by the board of trustees of a school district and by the county transportation committee.

(2) "Eligible transportee" means a public school pupil who:

(a) is 5 years of age or older and has not reached the age of 21 on or before September 10 of the current school year or who is a preschool child with a disability between the ages of 3 and 6;

(b) is a resident of the state of Montana;

(c) regardless of district and county boundaries:

(i) resides at least 3 miles, over the shortest practical route, from the nearest operating public elementary school or public high school, whichever the case may be; or

(ii) has transportation identified as a related service in an individualized education program as developed and implemented in accordance with the Individuals With Disabilities Education Act, 20 U.S.C. 1400, et seq.; and

(d) is considered to reside with a parent or guardian who maintains legal residence within the boundaries of the district furnishing the transportation regardless of where the eligible transportee actually lives when attending school.

(3) "Passenger seating position" means, as defined in 49 CFR 571.222, the space on a school bus allocated for one passenger.

(4) (a) "School bus" means, except as provided in subsection (4)(b), any motor vehicle that:

(i) complies with the bus standards established by the board of public education as verified by the department of justice's semiannual inspection of school buses and the superintendent of public instruction; and

(ii) is owned by a district or other public agency and operated for the transportation of pupils to or from school or owned by a carrier under contract with a district or public agency to provide transportation of pupils to or from school.

(b) A school bus does not include a vehicle that is:

(i) privately owned and not operated for compensation under this title;

(ii) privately owned and operated for reimbursement under 20-10-142;

(iii) either district-owned or privately owned, designed to carry not more than nine passengers, and used to transport pupils to or from activity events or to transport pupils to their homes in case of illness or other emergency situations; or

(iv) an over-the-road passenger coach used only to transport pupils to activity events.

(5) "Transportation" means:

(a) a district's conveyance of a pupil by a school bus between the pupil's legal residence or an officially designated bus stop and the school designated by the trustees for the pupil's attendance; or

(b) "individual transportation" by which a district is relieved of actually conveying a pupil. Individual transportation may include paying the parent or guardian for conveying the pupil, reimbursing the parent or guardian for the pupil's board and room, or providing supervised correspondence study or supervised home study.

(6) "Transportation service area" means the geographic area of responsibility for school bus transportation for each district that operates a school bus transportation program.

~~(7) "Weighted ridership" means the sum of the passenger points assigned to the eligible transportees who are transported on a bus route."~~

**Insert: "Section 5.** Section 20-10-141, MCA, is amended to read:

**"20-10-141. Schedule of maximum reimbursement by mileage rates.** (1) The following mileage rates in subsection (2) for school transportation constitute the maximum reimbursement to districts for school transportation from state and county sources of transportation revenue under the provisions of 20-10-145 and 20-10-146. These rates may not limit the amount that a district may budget in its transportation fund budget in order to provide for the estimated and necessary cost of school transportation during the ensuing school fiscal year. All bus miles traveled on bus routes approved by the county transportation committee are reimbursable. Nonbus mileage is reimbursable for a vehicle driven

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by a bus driver to and from an overnight location of a school bus when the location is more than 10 miles from the school. A district may approve additional bus or nonbus miles within its own district or approved service area but may not claim reimbursement for the mileage. Any vehicle, the operation of which is reimbursed for bus mileage under the rate provisions of this schedule, must be a school bus, as defined by this title, driven by a qualified driver on a bus route approved by the county transportation committee and the superintendent of public instruction.

(2) (a) The rate ~~per for each~~ bus mile traveled must be determined in accordance with the following schedule when the weighted ridership assigned to a bus route is not less than one-half of the rated capacity of the school bus:

~~(a)(i)~~ 85 95 cents ~~per bus mile~~ for a school bus with a rated capacity of not more than ~~45 49~~ passenger seating positions;

(ii) \$1.15 for a school bus with a rated capacity of 50 to 59 passenger seating positions;

(iii) \$1.36 for a school bus with a rated capacity of 60 to 69 passenger seating positions;

(iv) \$1.57 for a school bus with a rated capacity of 70 to 79 passenger seating positions; and

(v) \$1.80 for a school bus with 80 or more passenger seating positions.

~~(b) when the rated capacity is more than 45 passenger seating positions, an additional 2.13 cents per bus mile for each additional passenger seating position in the rated capacity in excess of 45 must be added to a base rate of 85 cents per bus mile~~ Nonbus mileage, as provided in subsection (1), must be reimbursed at a rate of 50 cents a mile.

~~(3) Reimbursement for nonbus mileage provided for in subsection (1) may not exceed 50% of the maximum reimbursement rate determined under subsection (2).~~

~~(4) When the weighted ridership assigned to a bus route is less than one-half of the rated capacity of the school bus, the rate per bus mile traveled must be computed as follows:~~

~~(a) determine the weighted ridership assigned to the bus route;~~

~~(b) multiply the number determined in subsection (4)(a) by two; and~~

~~(c) use the adjusted rated capacity determined in subsection (4)(b) as the rated capacity of the bus to determine the rate per bus mile traveled from the rate schedule in subsection (2).~~

~~(5)(3)~~ (3) The rated capacity is the number of passenger seating positions of a school bus as determined under the policy adopted by the board of public education. If modification of a school bus to accommodate pupils with disabilities reduces the rated capacity of the bus, the reimbursement to a district for pupil transportation is based on the rated capacity of the bus prior to modification.

~~(6)(4)~~ (4) The number of pupils riding the school bus may not exceed the passenger seating positions of the bus."  
**Renumber:** subsequent sections

5. Page 7, line 19.

**Following:** "of"

**Insert:** "one-half of"

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

**SB 454**, be concurred in and be placed on the consent calendar. Report adopted.

**FISH, WILDLIFE AND PARKS** (Balyeat, Chairman):

4/3/2003

**SB 287**, be amended as follows:

1. Page 2, line 4.

**Following:** "must be"

**Strike:** "PERMANENTLY attached to"

**Insert:** "displayed on"

2. Page 2, line 15.

**Following:** "LAUNCHED"

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**Strike:** "OR"  
**Insert:** "and"

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

**SB 392**, be amended as follows:

1. Title, line 7 through line 14.  
**Following:** "PLAN" on line 7  
**Strike:** remainder of line 7 through "CLARIFYING" on line 14  
**Insert:** ", "

2. Title, line 14.  
**Following:** "MANAGEMENT"  
**Strike:** "PLANS ARE"  
**Insert:** "PLAN IS"

3. Page 2, line 25 through 30.  
**Following:** "(c)" on line 25  
**Strike:** remainder of line 25 through "private." on line 30

4. Page 4, line 7 through line 12.  
**Following:** "(c)" on line 7  
**Strike:** remainder of line 7 through "private." on line 12

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

**NATURAL RESOURCES** (Younkin, Chairman):  
**SB 381**, be amended as follows:

4/3/2003

1. Page 2, line 12.  
**Strike:** "5"  
**Insert:** "15"

2. Page 4, line 14.  
**Strike:** "5"  
**Insert:** "15"

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

**SB 383**, be amended as follows:

1. Page 1, line 29.  
**Following:** "operation of"  
**Insert:** "irrigation"

2. Page 2, line 2.  
**Following:** "outside the"  
**Insert:** "irrigation"

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

**SB 386**, be amended as follows:

1. Title, page 1, line 6.

**Following:** "DATE"

**Insert:** "AND AN APPLICABILITY DATE"

2. Page 1, line 28.

**Following:** "Applicability."

**Strike:** "[This"

**Insert:** "Subject to [section 3 of Senate Bill No. 386, 2003], [this"

3. Page 2.

**Following:** line 2

**Insert:** "NEW SECTION. Section 3. Applicability. Section 17, Chapter 293, Laws of 2001, and [section 1 of this act] do not apply to reclamation bonds for pipelines and associated facilities held by the board of environmental review or the department of environmental quality until October 30, 2004."

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

**FIRST READING AND COMMITMENT OF BILLS**

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

**HJR 42**, introduced by Lindeen, A. Olson, referred to Natural Resources.

**MOTIONS**

Representative R. Brown moved **SB 218** be taken from the Committee on Federal Relations, Energy, and Telecommunications and be rereferred to the Committee on Appropriations. There being no objection, so ordered.

Representative Raser moved **SB 223** be taken from the Committee on Judiciary and be placed on second reading Legislative Day 72.

Representative Gallus moved previous question. Motion carried.

Motion that **SB 223** be taken from committee and placed on second reading **failed** as follows:

Ayes: Becker, Bergren, Bookout-Reinicke, Brueggeman, Callahan, Carney, Dowell, Erickson, Forrester, Fritz, Gallus, Gillan, Haines, Hawk, Hedges, Hurwitz, Jacobson, Kaufmann, Lake, Lambert, Lange, Lewis, Lindeen, Maedje, Morgan, Musgrove, A. Olson, B. Olson, Raser, Roberts, Ross, Shockley, Small-Eastman, Smith, Waitschies, Wilson, Windy Boy, Mr. Speaker.

Total 38

Noes: Andersen, Ballantyne, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, R. Brown, Buzzas, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Franklin, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jackson, Jayne, Jent, Juneau, Kasten, Keane, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Malcolm, Matthews, McKenney, Mendenhall, Noennig, Parker, Pattison, Peterson, Rice, Ripley, Rome, Ryan,

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Schrumpf, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Witt, Younkin.  
Total 58

Excused: Newman.  
Total 1

Absent or not voting: Fuchs, Sales, Sinrud.  
Total 3

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 8:00 a.m., Friday, April 4, 2003. Motion carried.

House adjourned at 5:57 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House