

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

Helena, Montana  
April 7, 2003

House Chambers  
State Capitol

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

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

Mr. Speaker introduced the pages of the week:

Allysha Cohenour, East Helena  
Elliot Cross, Glendive  
Jesse Everson, Billings  
Bryce DeGroot, Manhattan  
Colton Gill, Lewistown  
Phillip Nielsen, Billings  
Alexis Sandru, Twin Bridges  
Ryan Wages, Great Falls

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House: 4/5/2003

**HB 6**, introduced by Witt  
**HB 8**, introduced by Witt  
**HB 195**, introduced by Younkin  
**HB 419**, introduced by Laszloffy  
**HB 431**, introduced by Lawson  
**HB 494**, introduced by Wilson  
**HB 501**, introduced by Noennig  
**HB 546**, introduced by Wagman  
**HB 579**, introduced by Shockley  
**HB 591**, introduced by Fuchs  
**HB 678**, introduced by Lindeen

**House joint resolution** concurred in and returned to the House: 4/5/2003

**HJR 26**, introduced by Younkin

**House bills** concurred in and returned to the House: 4/4/2003

**HB 186**, introduced by Matthews  
**HB 205**, introduced by Franklin  
**HB 230**, introduced by Erickson  
**HB 293**, introduced by Smith  
**HB 384**, introduced by McKenney  
**HB 445**, introduced by Pattison

**HB 456**, introduced by Parker  
**HB 474**, introduced by Weiss  
**HB 482**, introduced by Forrester  
**HB 524**, introduced by Mendenhall  
**HB 555**, introduced by Bitney  
**HB 580**, introduced by Bitney  
**HB 637**, introduced by Raser

**House joint resolution** concurred in and returned to the House:

4/4/2003

**HJR 12**, introduced by Fuchs

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

4/5/2003

**HB 105**, introduced by B. Olson  
**HB 107**, introduced by A. Olson  
**HB 141**, introduced by Lange  
**HB 203**, introduced by A. Olson  
**HB 213**, introduced by Gallik  
**HB 247**, introduced by Harris  
**HB 256**, introduced by Shockley  
**HB 266**, introduced by Jacobson  
**HB 270**, introduced by Bergren  
**HB 358**, introduced by Lange  
**HB 404**, introduced by D. Brown  
**HB 410**, introduced by Younkin  
**HB 424**, introduced by Jent  
**HB 451**, introduced by E. Clark  
**HB 468**, introduced by Gillan  
**HB 509**, introduced by A. Olson  
**HB 538**, introduced by Rome  
**HB 540**, introduced by Gallik  
**HB 553**, introduced by Gallik  
**HB 556**, introduced by Gallik  
**HB 577**, introduced by Brueggeman  
**HB 588**, introduced by Matthews  
**HB 609**, introduced by Windy Boy  
**HB 640**, introduced by Haines  
**HB 641**, introduced by Haines  
**HB 648**, introduced by Younkin  
**HB 667**, introduced by Harris  
**HB 669**, introduced by Younkin  
**HB 676**, introduced by Lindeen  
**HB 677**, introduced by Lindeen  
**HB 680**, introduced by Noennig  
**HB 689**, introduced by A. Olson  
**HB 698**, introduced by Gillan  
**HB 720**, introduced by Hurwitz  
**HB 733**, introduced by Schrumpf  
**HB 734**, introduced by Lawson

**House joint resolutions** concurred in as amended and returned to the House for concurrence in Senate amendments:  
4/5/2003

**HJR 29**, introduced by Gallus  
**HJR 31**, introduced by Facey  
**HJR 32**, introduced by Haines

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:  
4/4/2003

**HB 90**, introduced by E. Clark  
**HB 130**, introduced by Lewis  
**HB 223**, introduced by Lawson  
**HB 253**, introduced by Hedges  
**HB 259**, introduced by Maedje  
**HB 304**, introduced by A. Olson  
**HB 385**, introduced by Fritz  
**HB 396**, introduced by Gibson  
**HB 484**, introduced by R. Brown  
**HB 512**, introduced by Sinrud  
**HB 517**, introduced by Wilson  
**HB 525**, introduced by Keane  
**HB 536**, introduced by Brueggeman  
**HB 537**, introduced by Lawson  
**HB 545**, introduced by Haines  
**HB 563**, introduced by Laszloffy

#### MESSAGES FROM THE GOVERNOR

April 4, 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 63** sponsored by Representative Kasten, **House Bill 319** sponsored by Representative Lawson, **House Bill 340** sponsored by Representative Andersen, and **House Bill 627** sponsored by Representative Lindeen on April 4, 2003.

Sincerely,

JUDY MARTZ  
Governor

Majority Leader Brown moved that the House recess until 1:30 p.m. for caucuses. Motion carried.

House adjourned at 1:11 p.m.

House reconvened at 1:30 p.m. All members present, except Representatives Facey and Windy Boy, excused. Quorum present.

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

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

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

**HB 17 - Senate Amendments** - Representative Newman moved Senate amendments to **HB 17** be concurred in. Motion carried as follows:

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

Total 100

Noes: None.

Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 20 - Senate Amendments** - Representative Golie moved Senate amendments to **HB 20** be concurred in. Motion carried as follows:

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

Total 96

Noes: Ripley, Ross, Smith, Witt.

Total 4

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 40 - Senate Amendments** - Representative Newman moved Senate amendments to **HB 40** 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, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Sales.

Total 1

**HB 50 - Senate Amendments** - Representative Haines moved Senate amendments to **HB 50** be concurred in. Motion carried as follows:

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

Total 98

Noes: None.

Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Stoker, Waitschies.

Total 2

**HB 54 - Senate Amendments** - Representative Newman moved Senate amendments to **HB 54** 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, 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

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Dowell.

Total 1

**HB 67 - Senate Amendments** - Representative Kaufmann moved Senate amendments to **HB 67** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, 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, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 86

Noes: Balyeat, R. Brown, Everett, Fuchs, Gillan, Jayne, Lambert, Rice, Rome, Sales, Sinrud, Waitschies, Witt.

Total 13

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Dowell.

Total 1

**HB 76 - Senate Amendments** - Representative McKenney moved Senate amendments to **HB 76** 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, 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: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Dowell.  
Total 1

**HB 98 - Senate Amendments** - Representative McKenney moved Senate amendments to **HB 98** 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, 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, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Laszloffy, Younkin.  
Total 2

**HB 104 - Senate Amendments** - Representative Bergren moved Senate amendments to **HB 104** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, 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: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: R. Brown, Fritz.  
Total 2

**HB 110 - Senate Amendments** - Representative Lange moved Senate amendments to **HB 110** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 123 - Senate Amendments** - Representative P. Clark moved Senate amendments to **HB 123** 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, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, 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, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 94

Noes: Buzzas, Erickson, Juneau, Kaufmann, Malcolm, Wanzenried.



Total 6

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 127 - Senate Amendments** - Representative Fritz moved Senate amendments to **HB 127** 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, 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: Gallik.

Total 1

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 134 - Senate Amendments** - Representative Weiss moved Senate amendments to **HB 134** 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, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Bixby, Juneau.

Total 2

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Fisher, Hurwitz, Laszloffy.  
Total 3

**HB 145 - Senate Amendments** - Representative McKenney moved Senate amendments to **HB 145** be concurred in. Motion carried as follows:

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

Excused: None.  
Total 0

Absent or not voting: D. Brown.  
Total 1

**HB 155 - Senate Amendments** - Representative Jent moved Senate amendments to **HB 155** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.

Total 0

**HB 157 - Senate Amendments** - Representative Haines moved Senate amendments to **HB 157** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Peterson, Raser, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 89

Noes: Maedje, Malcolm, Pattison, Rice, Ripley, Waitschies.  
Total 6

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Brueggeman, Fisher, Juneau, Mendenhall, B. Olson.  
Total 5

**HB 161 - Senate Amendments** - Representative Matthews moved Senate amendments to **HB 161** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, 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: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: R. Brown, Franklin.  
Total 2

**HB 169 - Senate Amendments** - Representative Keane moved Senate amendments to **HB 169** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, 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, Gutsche, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 91

Noes: Becker, Bixby, Cohenour, Gallik, Golie, Laslovich, Smith, Waitschies.  
Total 8

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Haines.  
Total 1

**HB 170 - Senate Amendments** - Representative Parker moved Senate amendments to **HB 170** 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, 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: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Dickenson.  
Total 1

**HB 171 - Senate Amendments** - Representative Parker moved Senate amendments to **HB 171** 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, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake,

Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Carney.  
Total 1

**HB 179 - Senate Amendments** - Representative Matthews moved Senate amendments to **HB 179** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, 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, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Fisher, Shockley.  
Total 2

**HB 183 - Senate Amendments** - Representative Steinbeisser moved Senate amendments to **HB 183** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, 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 98

Noes: None.

Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: D. Brown, Devlin.

Total 2

**HB 197** - Representative R. Brown moved consideration of **HB 197** be passed for the day. Motion carried.

**HB 210 - Senate Amendments** - Representative Shockley moved Senate amendments to **HB 210** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, 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 97

Noes: None.

Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Erickson, Fritz, Sales.

Total 3

**HB 211 - Senate Amendments** - Representative Newman moved Senate amendments to **HB 211** be concurred in. Motion **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bookout-Reinicke, D. Brown, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Jent, Lake, Laslovich, Laszloffy, Lehman, Lenhart, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt.

Total 42

Noes: Ballantyne, Becker, Bergren, Bitney, Bixby, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Lawson, Lewis, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Roberts, Rome, Ryan, Small-Eastman, Smith,

Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.  
Total 58

Voted Absentee: Facey, Windy Boy, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 337 - Senate Amendments** - Representative Ripley moved Senate amendments to **HB 337** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin.  
Total 97

Noes: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Franklin, Wilson, Mr. Speaker.  
Total 3

**HB 481 - Senate Amendments** - Representative Lewis moved Senate amendments to **HB 481** 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, 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, Malcolm, Matthews, 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 93

Noes: Balyeat, Hawk, Maedje, Sales.  
Total 4

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Fisher, Lindeen, McKenney.  
Total 3

**HB 499 - Senate Amendments** - Representative Franklin moved Senate amendments to **HB 499** be concurred in.  
Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, 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, 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: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Fisher, Newman.  
Total 2

Representative Brueggeman assumed the chair.

**HB 527 - Senate Amendments** - Representative Mendenhall moved Senate amendments to **HB 527** be concurred in.  
Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Witt, Younkin, Mr. Speaker.  
Total 63

Noes: Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lindeen, Musgrove, Raser, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Windy Boy.  
Total 36

Voted Absentee: Facey, Windy Boy, Noes.

Excused: None.  
Total 0



Absent or not voting: Lewis.  
Total 1

**HB 532 - Senate Amendments** - Representative Stoker moved Senate amendments to **HB 532** 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, 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 98

Noes: Franklin.  
Total 1

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Fisher.  
Total 1

**HB 218 - Senate Amendments** - Representative Bookout-Reinicke moved Senate amendments to **HB 218** be concurred in. Motion carried as follows:

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

Noes: None.  
Total 0

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Franklin.  
Total 1

**HB 220 - Senate Amendments** - Representative Laszloffy moved Senate amendments to **HB 220** 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, 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, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 97

Noes: Bixby, Jayne.  
Total 2

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Maedje.  
Total 1

Representative Laszloffy reassumed the chair.

**HB 222 - Senate Amendments** - Representative Parker moved Senate amendments to **HB 222** 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, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 96

Noes: Juneau.  
Total 1

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Dickenson, Erickson, Keane.  
Total 3

**HB 224 - Senate Amendments** - Representative Shockley moved Senate amendments to **HB 224** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, 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, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Mr. Speaker.  
Total 94

Noes: Newman, Smith, Younkin.  
Total 3

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Balyeat, Bixby, Fisher.  
Total 3

**HB 237 - Senate Amendments** - Representative Brueggeman moved Senate amendments to **HB 237** 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, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Mr. Speaker.  
Total 89

Noes: Dickenson, Erickson, Franklin, Golie, Gutsche, Harris, Jayne, Keane, Ryan, Younkin.  
Total 10

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Lindeen.  
Total 1

**HB 269 - Senate Amendments** - Representative Bergren moved Senate amendments to **HB 269** 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, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, 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, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt.

Total 92

Noes: Cohenour, Dickenson, Gillan, Kaufmann, Sinrud, Small-Eastman.

Total 6

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Younkin, Mr. Speaker.

Total 2

**HB 277** - Representative Lindeen moved consideration of **HB 277** be placed at the bottom of the second reading board. Motion carried.

**HB 283 - Senate Amendments** - Representative Fuchs moved Senate amendments to **HB 283** be concurred in. Motion **failed** as follows:

Ayes: Cohenour, Dickenson, Erickson, Fritz, Gallik, Galvin-Halcro, Gillan, Gutsche, Jacobson, Jayne, Juneau, Kaufmann, Musgrove, Wanzenried.

Total 14

Noes: 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, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallus, Gibson, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, 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, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 86

Voted Absentee: Facey, Windy Boy, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 303 - Senate Amendments** - Representative A. Olson moved Senate amendments to **HB 303** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cyr, Devlin, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, 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, Musgrove, Newman, Noennig, A. Olson, B. Olson,

Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin.  
Total 86

Noes: Bixby, Buzzas, Carney, Cohenour, Dickenson, Erickson, Gallik, Galvin-Halcro, Jayne, Kaufmann, Raser, Small-Eastman, Weiss.  
Total 13

Voted Absentee: Facey, Windy Boy, Ayes.

Excused: None.  
Total 0

Absent or not voting: Mr. Speaker.  
Total 1

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

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Witt, Younkin, Mr. Speaker.  
Total 91

Noes: Cohenour, Franklin, Gillan, Jayne, Smith, Wanzenried.  
Total 6

Excused: Facey, Windy Boy.  
Total 2

Absent or not voting: Buzzas.  
Total 1

## MOTIONS

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 211** Motion carried.

The Speaker appointed the following members:

Representative Laszloffy, Vice Chair  
Representative Everett  
Representative Bixby

Representative R. Brown moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **HB 283** Motion carried.

The Speaker appointed the following members:

Representative Fuchs, Chair  
Representative Balyeat  
Representative Jent

Representative Thomas moved **SB 39** be taken from the table in the Committee on Judiciary and be placed on second reading Legislative Day 75.

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

Ayes: Andersen, Balyeat, Barrett, Bergren, Bitney, D. Brown, Callahan, Cyr, Devlin, Erickson, Everett, Forrester, Franklin, Fritz, Fuchs, Gallus, Golie, Hawk, Hurwitz, Jacobson, Jayne, Jent, Kasten, Keane, Lake, Lambert, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, Rice, Ripley, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Wagman, Weiss.

Total 47

Noes: Ballantyne, Becker, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Dickenson, Dowell, Fisher, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hedges, Jackson, Juneau, Kaufmann, Lange, Laslovich, Laszloffy, Lawson, Lewis, Musgrove, Newman, Noennig, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Wilson, Witt, Younkin, Mr. Speaker.

Total 51

Excused: Facey, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

Representative Gallus moved previous question. Motion carried.

Motion that **SB 39** be taken from committee and be placed on second reading (requiring 3/5 vote) **failed** as follows:

Ayes: Ballantyne, Becker, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, Cohenour, Dickenson, Fisher, Gallik, Galvin-Halcro, Gibson, Gillan, Haines, Harris, Hedges, Hurwitz, Jackson, Juneau, Kaufmann, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Mendenhall, Musgrove, Newman, Noennig, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Witt, Younkin, Mr. Speaker.

Total 48

Noes: Andersen, Balyeat, Barrett, Bergren, Bitney, D. Brown, Callahan, P. Clark, Cyr, Devlin, Dowell, Erickson, Everett, Forrester, Franklin, Fritz, Fuchs, Gallus, Golie, Gutsche, Hawk, Jacobson, Jayne, Jent, Kasten, Keane, Lake, Lambert, Lange, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, A. Olson, Rice, Ripley, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Wagman, Wanzenried, Weiss, Wilson.

Total 50

Excused: Facey, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

Representative Small-Eastman moved to **suspend the rules** for the late drafting, printing, and transmittal of a resolution. Motion carried as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Roberts, Ross, Schruppf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Wilson, Younkin, Mr. Speaker.  
Total 70

Noes: Balyeat, Barrett, Bitney, D. Brown, Brueggeman, Devlin, Everett, Fisher, Hawk, Hedges, Jackson, Kasten, Lake, Lange, Laszloffy, Malcolm, Mendenhall, Morgan, Ripley, Rome, Ryan, Sales, Sinrud, Steinbeisser, Wagman, Waitschies, Weiss, Witt.  
Total 28

Excused: Facey, Windy Boy.  
Total 2

Absent or not voting: None.  
Total 0

## **SPECIAL ORDERS OF THE DAY**

### **Legislative Memorial service April 6, 2003**

#### **FRANCIS BARDANOUE**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Francis Bardanoue on March 17, 2002 in Havre, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Bardanoue be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Francis Bardanoue, the second longest-serving legislator in Montana history, was born in Harlem, Montana on December 10, 1917. He was the son of Blaine County homesteaders, John Bardanoue and Alice Miller Bardanoue. He graduated from Harlem High School in 1937 and both he and his wife, Venus, were awarded Honorary Doctorates of Letters from Montana State University in 1996.

Francis married Venus Potts in Harlem, Montana, 1967, where they lived on the Bardanoue ranch, the third generation of Bardanoue ranchers. Francis deeply loved their three children, Kathleen, Elizabeth, and Dr. Kedric Cecil.

Francis Bardanoue was a man of integrity. He was elected to the Montana House of Representatives in 1959 where he served for 36 years. He held the respect of his colleagues for his honesty, hard work, and integrity. His longevity earned him the title 'Dean of the House'.

He was chairman of the House Appropriations Committee where he helped shape and set policy that balanced the needs of the people of Montana. He inspired people to not only advocate with vigor, but to balance the scales of financial justice. Representative Bardanoue still holds the record for moving an appropriations bill through the legislature in only three days.

Francis Bardanouve was very theatrical. He often sat in his chair, eyes closed, head on his chest. About the time people assumed he was dozing, Francis would sit straight up, slap the table with his ham-like hand, and loudly declare, "Just a minute!" Then, to everyone's amazement, he would recount statements that had been made by witnesses, followed by his usual penetrating questions.

He was a compassionate legislator leading the effort to redesign Montana's institutions for our most vulnerable citizens. Early in his legislative career, he visited the Montana Development Center in Boulder where a young boy reached up and took his hand. From that bond, Francis returned to the legislature the next day and embarked on a continued effort to improve conditions at the Center.

He supported projects in north central Montana with his own personal funds, although he seldom allowed that fact to be publicized. The story has been told that Francis would arrive unannounced in various Montana communities asking, for example, "show me that new boiler we appropriated funds for last session." Other state-supported institutions also received such requests if Francis happened to be driving through their community. He was especially proud of his service on the farm supervisory board at the state prison and was responsible for making the state of Montana permanent owners of Charlie Russell's art.

Always a gentleman, Francis will long be remembered in the Montana legislature for his courteous treatment of everyone. His love for Montana was total and his accomplishments profound and remembered. Francis fulfilled his purpose of making Montana a better place for all.

He is survived by his wife Venus, and daughters Elizabeth Kuntz and Kathleen Barnes, son Kendric Cecil, eleven grandchildren and ten great-grandchildren.

#### **FRED O. BARRETT**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Fred O. Barrett on December 8, 2002 in Moore, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Barrett be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Fred Barrett was born May 31, 1932 in Lewistown, Montana. He attended school in Hobson and graduated from Hobson High School. He then attended the University of Montana where he received a bachelor's degree and later a master's degree in guidance/counseling.

Fred served in the U.S. Army from 1952 to 1954 taking supplies to Alaska in the summer.

Fred was united in marriage to Roberta Miller of Helena in July 1963. They later divorced. There were no children born of the marriage.

Fred was State Representative for Fergus County for three terms in the early 1970s.

Fred taught at Fergus High School and was also an assistant principal for 14 years. Following his school career he was an adjuster for the State Hail Insurance. After retiring, he kept busy painting houses for others, cultivating flowers in his small greenhouse, enjoying his cats and the mountains of Montana.

Fred is survived by a sister, Delores Sharpe of Helena and two brothers, Patrick of Hobson, Montana and Howard of Carson City, Nevada.

#### **DALE E. BERRY**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the



State of Montana record the passing of Dale E. Berry on July 5, 2002, in Hamilton Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Berry be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Dale E. Berry was born in Sidney on February 6, 1939. Dale passed away unexpectedly on May 17, 2001, in Hamilton, as a result of a pulmonary embolism.

For 62 years, Dale lived a colorful, energetic and highly productive life. He touched many lives as an educator, coach, business person, community supporter and friend to many.

Dale grew up in Fairview and attended the University of Montana on a football scholarship. He earned a degree in education with teaching certifications in physical ed, sociology, and drivers education. He was a member of the Montana National Guard and saw active service in 1961 and 1962.

On August 10, 1963, Dale married Dorothy Ceerle in Hobson, Montana. He started his first coaching and teaching job at Denton, where he coached football, basketball and track, and managed the swimming pool in the summer. From there, the Berrys moved to Roundup where Dale taught and coached. Four years later, they relocated to Hamilton where Dale taught and coached for twenty more years.

Then Dale became fully involved in a real estate career, which he had pursued on a part-time basis while still teaching. In 1989, he started his own firm, the Greater Montana Land Company. This firm developed offices in Lewistown and Fort Benton in addition to the Hamilton location.

Dale Berry contributed generously of his time, energy, and creative thinking to his community and professions. He was highly respected and recognized in each of his many fields of endeavor. As a coach, he spent eight years as a Class A representative on the Board of Directors for the Montana Coaches Association, then was elected president for four years, and served as past president for four years. In 1988, he was inducted into the Montana Coaches Hall of Fame.

As a realtor, Dale was president of the Local Board of Realtors. In 1996, he was elected by his peers as 'Realtor of the Year'.

He served as an original member of the Hamilton School Foundation Board, and for several years, president of the Bitterroot Chamber of Commerce. He served as chairman of the Chamber Economic Development Committee and of the Port Authority Ad Hoc Study Committee. He was the Bitterroot Valley 'Business Person of the Year' in 1997.

In 2000, Dale ran for and was elected to the Montana House of Representatives. Before the session convened, a vacancy occurred in his Senate District and Dale was appointed to fill it. He was chosen by his colleagues to the position of Majority Whip for the 2001 session. He demonstrated great potential for a career in politics. However, fate intervened, and Dale's untimely passing prevented him from serving the second year of his term.

In addition to his wife Dorothy, Dale leaves behind two sons, Brad of Missoula and Brian of Hamilton, his mother, Gertrude Melby, of Laurel, and his brother, James Berry of Ellensburg, Washington.

#### **HENRY STUART COX**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Henry S. Cox on March 30, 2001 in Billings, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Cox be filed on the official

records of this Assembly and the following facts relative to his career are hereby noted:

Henry S. Cox was born Francis Wilkes in Chicago, Illinois, March 24, 1923. He was adopted at 6 weeks old by Henry D. and Kathryn Cox, who named him Henry Stuart Cox. At a young age, he moved with his father to Ohio where he was raised by a loving extended family.

On April 11, 1944, Henry met his future wife Doris Buzard at a county music festival while he was a student at North Lima, Ohio, High School. They had 56 wonderful years of marriage. Their mutual love of music and singing was one of the interests Hank and Doris shared. They raised five children - Karen, David, Jeanne, Mary and Danny.

Hank graduated from High School in 1941 and in the fall entered Kent State University on a baseball and basketball scholarship. He played semi-pro baseball for a time. WWII interrupted his education and he promptly enlisted in the U.S. Navy. He served in the Pacific on the aircraft carrier U.S.S. Wasp until his discharge in August 1945.

After the war, Hank re-entered college under the G.I. Bill, graduating from the University of Wyoming in 1952 with a degree in education. Hank taught several high school subjects and coached all sports including American Legion Baseball.

In 1956, Henry moved his family to Billings where he became a popular government teacher and coach at Billings Senior High School. He continued teaching full time and coaching golf until his retirement in 1985. During 32 years in education, he touched the lives of many students, parents and fellow educators. When asked later in life what he had taught, he would always say, "I taught kids!"

Representative Sue Dickenson spoke as also being one of Hank's "kids." She credits Hank with her interest in public affairs and running for the legislature. "Mr. Cox introduced ideas and questions in civics class which truly sparked critical thinking. Mr. Cox stressed the importance of, and the fun, in serving your community through public service. Mr. Cox was truly an inspiration to me; an honest, hard-working man with a great sense of humor and a strong sense of public responsibility."

Hank turned his love of government and politics into action when he was elected to the Billings City Council in the early 1960s. In 1966, he was elected to his first term in the Montana House of Representatives. In 1970, he was re-elected to his former seat in the Legislature where he served two additional terms.

Hank served as the Billings Mustangs' public address announcer for 20 seasons. He was a member of the Lutheran Church of the Good Shepherd. Throughout his life, he was a faithful witness for Christ.

Hank is survived by his wife Doris, and his five children and numerous grandchildren.

#### **GLEN LYMAN DRAKE**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Glen Lyman Drake on December 12, 2001 at the UCLA Medical Center, California.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Drake be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Glen Drake was born September 29, 1927 in Billings, Montana. He was raised on the family's Duck Creek Ranch, a dry-land wheat ranch south of Billings. He attended public school in Laurel and Billings graduating from the Northwest Nazarene Academy in Nampa, Idaho in 1945, then entered the U.S. Navy at age 17 serving in Adak, Alaska. He attended Eastern Montana College earning a Bachelor of Arts, and the University of Montana where he received a Law degree graduating in 1955.

Glen was united in marriage to JoMae Chase September 10, 1954 in Rochester, Minnesota. They lived in Butte, Billings, and Great Falls before settling in Helena where they lived for 35 years and raised their family of five sons - Curtis, Jeffrey, Charles, Joel, Carl and two daughters Leslie and Patty. He had a happy, caring, fun-loving personality and was a championship bowler, avid golfer, loved fishing, writing humorous limericks, singing and spending time with his family.

Glen was a member of the Helena law firm, Keller, Reynolds, Drake and Gillespie. He served as Senator to the Montana Legislature from Lewis & Clark County from 1970 to 1976, serving as a Member of the Legislative Council from 1975 to 1976.

Knowing he was nearing the end of his life, Glen Drake bravely took part in the Abucar Mechanical heart experiment at the UCLA Medical Center and was only the fourth man in the world to receive this type of mechanism. He participated in the experimental surgery to enhance the lives of others. He lived two months and six days at the Medical Center until he passed away due to complications from the surgery. For this, he will be remembered as a hero by his loving family and all who knew him.

Glen is survived by his wife of 48 years, JoMae, their seven children and ten grandchildren.

### **WILLIAM ALBERT "BILL" GROFF**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of William Albert Groff on July 5, 2002, in Hamilton, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Groff be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Born in Victor, Montana on February 17, 1920 to Houston and Julia (Vicc) Groff, William Albert "Bill" Groff was the son and grandson of early Bitterroot pioneers. Julia Vicc was the first child of settlers to be born on the west side of the Bitterroot River. Houston Groff was an area rancher, teacher, legislator, and banker. Bill grew up on the family ranch west of Victor and attended the Victor school where his mother and father had been teachers.

He attended Kemper Military Academy in Missouri, the University of Texas, and the University of Montana. Following his graduation from U of M with a Bachelor's Degree in Business Administration, Bill enlisted in the Army in 1941, and served his country in the South Pacific Theater. He received an honorable discharge as First Lieutenant in February, 1946.

In 1946, Bill married Phyllis Ann Wiesener of Tuscola, Illinois. They made their home across from the family ranch in Victor where they raised their two daughters, Ann and Kay.

Following in his father's footsteps, Bill served as president of Farmers State Bank of Victor. He served on the bank's Board of Directors and was active in the bank until the time of his death.

Bill followed his father's example once again when he was elected to the Montana State Senate in 1954. He remained in that position for twenty years, serving as Chairman of the Finance and Claims Committee and Majority Floor Leader.

Retirement from the Senate wasn't the end of Bill's service to the state of Montana. He became Director of the Department of Revenue in 1979, after working in the department for the preceding two years. In addition, Bill served as a member of the Western States Water Rights Commission, the National Association of Tax Administrators, Chairman of the Montana Board of Housing, and a member of the Montana Commission on Practice.

The Masonic Lodge #43, VFW, Elks, the Victor Senior Citizens, the American Legion, the Eagles and the Victor School Foundation, were some of the many civic organizations to which Bill contributed considerable time and resources.

In addition to his wife, Phyllis, Bill is survived by his two daughters, Ann and Kay. The family had asked that friends could make a contribution to the Victor School Foundation where Bill's parents had been early teachers. The Victor School had been an integral part of his life from the time he entered first grade until his death. With those memorials and other resources, the Victor School W.A. Groff Memorial classroom will soon be a reality.

### **HOWARD "SWEDE" HAMMOND**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Howard "Swede" Hammond on October 22, 2001, in Malta, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Hammond be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

The Montana Hi-line and Howard W. "Swede" Hammond seem to belong together. He was born in Westby in 1917, grew up in Whitewater, and got the basics for a teaching degree at Northern Montana College. His first teaching job was in Bainville in 1939. He spent most of the remainder of his life as an educator at Big Sandy.

Swede was absent from the Hi-line for only three periods: while in the service of the US Air Force in World War II, while earning bachelors and masters degrees from the University of Montana, and during the six terms he served in Montana's Senate.

Swede earned teaching majors in math, history and physical education. He taught all those subjects and more. He spent 27 years in the Big Sandy school system as teacher, coach, and school principal. Upon retirement, he and his wife Ella settled in Malta.

Swede was more than a devoted educator. He was more than a good coach. He was their mentor and friend. Charlie Klimas, an alumnus of Big Sandy School, recalled his high school principal: "The year I was a senior in high school, there were twelve kids on the Big Sandy basketball team and there was only one that had his original dad...[Swede] was certainly a second father to a lot of kids. "

He was just a wonderful person and role model for all of us. He had such a great sense of values, believed in God and family and country."

Upon retiring from his long and distinguished career in teaching, coaching, and school administration, Swede Hammond ran for and was elected to the Montana Senate in 1979, where he served for twelve years.

Many Hi-line organizations and projects benefitted greatly from Swede Hammond's generous contributions of time, counsel, and resources. Those groups include the Boards of Big Sandy Medical Center and Lutheran Home of the Good Shepherd. He helped create the Big Sky Christian Youth Ranch and worked with the Montana American Legion Boys State, Montana State Association of Student Councils, Montana Coaches Association, North Central Montana School Administrators, and North Central Montana High School Principals. He was also a member of VFW, American Legion, Malta Rotary Club, and Shrine Club.

He is survived by his wife, Ella, a daughter Patricia, two sons Michael and Howard, a sister Beverly Haugen of Kremlin, and two brothers, R.A. and Milton. There are nine grandchildren and one great-grandchild.

### **WARREN WAYNE HARPER, SR.**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Warren Harper, April 3, 2001 in Parkdale, Oregon.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Harper be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Warren Wayne Harper, former Montana State Representative, was born August 4, 1930, in Livingston, Montana to Willard and Emma McKinney Harper.

He grew up and attended school in Livingston. Warren entered the U. S. Army and served during the Korean War as a paratrooper in the 187<sup>th</sup> and 82<sup>nd</sup> Airborne Division.

Warren was awarded two Purple Hearts and a Bronze Star for his distinguished military service. Warren was discharged from the service in 1952 and returned to Livingston where he worked for the Northern Pacific Railroad as a trainmaster. He retired in 1978 after 24 years of service.

Warren married Annabelle Mercer on August 15, 1954. The couple later divorced. He married Gayle Marchesi Michaels on August 18, 1973, in Coeur d'Alene, Idaho.

Warren Wayne Harper proudly served two terms in 1961-1966 as a Montana State Representative.

He was an active member of the Disabled American Veterans throughout his life in Livingston and Hood River, Oregon. He loved gardening, feeding birds, and all of nature. He is remembered as an enthusiastic brother, and son, who fully enjoyed life.

Warren is survived by his wife Gayle; his sons Wayne and Kenneth, his four daughters, Desta, Dawn, Karen, and Katherine; his brothers Williard, John, and Howard; his sister Lucille; and 13 grandchildren and three great-grandsons.

### **BURT L. HURWITZ**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Burt L. Hurwitz on October 3, 2001 in White Sulphur Springs.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Hurwitz be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Burt Hurwitz was born August 16, 1911 in Butte, Montana. Due to his mother's ill health, the Hurwitz family moved to Olean, New York about 1918 where Burt grew up and completed high school. Burt entered the University of Montana forestry program in September of 1934.

Burt met June Bower at the U of M and they were married September 28, 1935 in Spokane, Washington.

During the next two years, Burt worked every job he could on weekends and Christmas vacations. The young Hurwitz couple's summers were spent at or near various ranger stations where Burt would work as an intern as part of his Ranger training. He worked on Forest Service lookouts and ran CCC crews in the summers.

He completed his forestry degree in 1938. He was hired by the U.S. Forest Service and after several other assignments, he was transferred to White Sulphur Springs in 1944 as the forest ranger.

A 94-year-old rancher made it possible for Burt to purchase the Shannon Ranch. In 1950, their first summer on the ranch, the couple spent their life savings to put up hay using horse-drawn equipment.

They renamed the ranch the Lazy BH and despite dire predictions, fluctuating cow prices, rising interest rates, droughts, floods, and forest fires Burt and his family endured and prospered. Burt was named Outstanding Forestry School Alumni of the Year in 1985.

From a young age, Burt had a conviction that community service was an important part of life. He became involved in the White Sulphur Springs community by serving on the local school board. He was urged to run for county commissioner in 1953, a post he won, and held, for the next 23 years. He felt strongly that county commissions needed to unite to bring the voice of county government to the legislature and was instrumental in the founding of MACO, Montana Association of Counties, serving as its first president.

Burt was elected to the Montana House of Representatives in 1976 and was re-elected for two additional terms. After serving as chairman of the Human Services Subcommittee on Appropriations in 1981, Burt decided not to seek re-election. He was then appointed by former Governor Ted Schwinden to the Board of Regents; a position he held for seven years. The State of Montana has benefitted from his belief in the importance of community service and his dedication.

Burt's greatest love was the 50 years he spent ranching in Meagher County.

Burt and June were blessed with four children; sons Dan, Ben, and Michael, and a daughter, Rosana. All four children, including his wife June, survive him, as well as his nine grandchildren.

### **PETER VORIOUS JACKSON III**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Peter V. Jackson III on July 9, 2002 at his ranch in Harrison, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Jackson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Peter Jackson III was born May 18, 1927 in Butte, Montana. At the age of 16, he bought his first piece of land for his 4-H sheep project. He was very proud to have been the first 4-H'er in Madison County at the age of 12. Peter was also the first winner of the Little International Livestock Exposition in Bozeman.

Peter graduated from Harrison High School in 1946 and later enrolled at Montana State College in Bozeman majoring in business, with a dream of becoming a county extension agent.

Peter and Johnneta Peirce were united in marriage in Whitehall on April 29, 1949. To this union three sons were born, Ward, Jon, Mark; and two daughters, Shelly, and Emily.

Peter was very active in supporting his community, county and state. He was president emeritus of the Madison County Fair Board, beginning his service to the board in 1951. He served on both the Norris and Harrison School Boards.

He served one term in the State Legislature from 1971-1973, when all of the bills he sponsored were passed. He was the executive vice president of the Western Environmental Trade Association for nine years and a member of the Montana Extension Advisory Council.

Peter had many accomplishments in his life and received numerous awards. He was a life member of the Society for Range Management. He was the first recipient of the Frederic G. Renner Award in recognition of his distinguished

accomplishments in promoting range management. He was state president of both the national and Montana Conservation Districts. He was the national secretary-treasurer of the Grazing Lands Conservation Initiative.

One of his proudest achievements was writing the Montana State Lands Range Conservation Plan; a plan still in use today. In 1959, he built the largest Soil Conservation Service earthen dam in the United States, creating the Norwegian Creek Reservoir.

His most cherished moments were having his home full of grandchildren and great-grandchildren. He is survived by his sons Ward and Jonathan, his daughter Michelle, his sister Bobby Paige, his grandchildren and great-grandchildren.

### **OSCAR SEIGEL KVAALEN**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Oscar S. Kvaalen on April 11, 2002 in Sidney, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Kvaalen be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Oscar Seigel Kvaalen, former House Minority leader and Richland County rancher, was born January 1, 1921 in Lambert, Montana, the oldest of four children. His Father, Ostein, was a Norwegian immigrant and homesteader. Oscar was raised on a farm south of Lambert.

"The dirty thirties," as they were called, were a reality to the farm kids in the Lambert area. Oscar often talked of school activities--playing basketball in the school basement gym, and moonlight outdoor trips.

He graduated from Lambert High School and went on to attend Concordia College in Moorhead, Minnesota, where he graduated with a Bachelor of Arts degree. Later, he took graduate courses in range management at the University of Montana.

Oscar enlisted in the U. S. Navy in 1942 and served as a radar officer aboard the U.S.S. Fond Du Lac in the South Pacific Theater. He returned after the war to the Lambert area where he spent most of his life as a farmer and rancher. Oscar truly enjoyed his two grandchildren, Olivia and Lars.

Following college, Oscar worked for the Soil Conservation Service and the State Land Department before returning to the family homestead in Lambert.

Oscar married his childhood neighbor, Ruth Johnson, March 5, 1960 in Sidney. They lived on their farm south of Lambert where they raised two children.

Oscar was elected to the Montana House of Representatives where he served from 1959 until 1979, except for one legislative session. He was a member of the Ways & Means, Fish & Game, Appropriations, and Rules Committees. Representative Kvaalen also served eight sessions as a member of the House Education Committee.

Oscar was a member of the First Lutheran Church in Lambert. He was a very private man who enjoyed reading, especially history. Although he was very busy as a farmer and Representative, Oscar always had time for company, especially his children. He and Ruth enjoyed horseback rides with their family into the badlands of Burns Creek.

Oscar is survived by his wife Ruth, son Jon, daughter Elizabeth Knotts, brother Arne, two sisters, Gene and Joyce Carlson and two grandchildren.

## **JANET LEE MOORE**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Janet Lee Moore on April 7, 2001, at her Swan Valley Home.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mrs. Moore be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Janet Moore was born in Walter Reed Hospital, Washington, D.C. on February 12, 1935. She and her sister, Kathleen, spent much of their girlhood with their aunts and uncles on a North Carolina farm and in Washington, D.C.

Janet worked for 17 years for the United States Departments of Treasury, Defense, and Agriculture. Her fondest memory of that early work was helping prepare President Eisenhower's paychecks. She also worked at the national headquarters of the U.S. Forest Service.

Janet married Frank Fitzgerald in 1952. Four children were born to Janet and Frank: Susan, Kevin, Joe, and Nancy. Frank and Janet divorced in 1970. She married Bud Moore in 1971 and moved to Missoula.

Always active in her community, Janet organized efforts to improve treatment of juvenile offenders. She helped organize the Montana Trappers Association and served as its first lobbyist to the Montana Legislature.

In 1983, Janet was elected as the first legislator to Montana's newly formed House District 65, and was re-elected to two additional terms.

As a State Representative, Janet's particular interests were related to wildlife, veterans' rights, and labor issues. She is remembered as a popular legislator who worked year-round helping people interpret legislation.

In addition to her tenure in the Montana House of Representatives, Janet devoted much time and support to many other civic interests. The Missoula Lady Lions Club benefitted from Janet's contributions, as well as Swan Valley Community Club in Condon. She also served as president of the Swan Valley - Condon Chapter of AARP.

Janet and her husband, Bud, co-owned Coyote Forest Management, an active business in the Swan Valley.

Janet's unconditional love for Jesus carried her through a thirteen-year struggle with cancer. Janet is survived by her husband, Bud, daughters Susan and Nancy, their sons Kevin, and Joe, their stepdaughter, Vicki, and stepson William.

## **MARCUS V. NICHOLS**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Marcus Nichols on April 17, 2000.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Nichols be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Marcus V. Nichols was a Veteran of World War II, a Captain in the United States Air Force, a farmer who loved the land, a gifted speaker, and a poet. He was born July 14, 1915 on the family homestead near Square Butte, Montana and graduated from Geraldine High School. In 1938, he received his bachelor of science degree in pre-medicine from the University of Montana.



Marcus married Ruth L. Faucett on November 28, 1945 and they had three children. Ruth passed away in 1982. In 1983, he married Patricia Weatherford of Kalispell. They spent their winters in Mesa, Arizona and summers in Kalispell.

Marcus was very active in the Eastern Star, serving as Grand Worthy Patron of Montana in 1965, and later as Right Worthy Grand Trustee of the International OES for 10 years. He was a member of Adah Chapter #17, OES of Kalispell and Denton Chapter #72 of OES. He was also past master and 60 year member of Pilgrim Lodge 102; belonged to York Rite, Algeria Shrine; the Elks Club; the American Legion; Lakeside Community Methodist Church; and associate member of Our Saviour Lutheran Church in Mesa.

As a gifted speaker, he was sought out for his programs on Americanism and his poetry presentations. He gave freely of his time and resources to aid his church, community, state, and fellow man. Sustained by his faith in God, he worked for the betterment of all.

Marcus proudly served one term in the House of Representatives in 1947.

He is survived by his wife Patricia of Kalispell, son Marcus of Lakeside, and daughters Nila of Billings, and Karol of Great Falls.

### **JERRY LYNN NOBLE**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Jerry L. Noble on December 23, 2001, in Great Falls, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Noble be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Jerry Lynn Noble, Montana Senator, businessman, and barber shop vocalist, was born on March 11, 1937 to Robert and Madella Noble in Great Falls. He received his early education in Great Falls and attended the College of Great Falls. Following his military discharge from the U.S. Marine Corps, Jerry spent the rest of his life working in the tire business.

Starting at a very early age, Jerry Noble shared his time and many talents with the community of Great Falls. As a child, he was active in the Boy Scouts, achieving the rank of Eagle Scout. As an adult, he was an active member of the Elks Lodge, Great Falls Transportation Club, and the Assembly of God Church and the Great Falls Drum and Bugle Corps. He was a member of a Great Falls barbershop group, where he sang baritone.

In 1977, Jerry formed Jerry Noble Tires. Jerry, his son, Chuck, and long-time family friend, Dean Whitmore, later opened the Jerry Noble Tire Factory in 1999.

He demonstrated his commitment to his industry as past director of the Montana Tire Dealers Association and past director of the National Tire Dealers Association.

Jerry was married to Darlene Bolta. The couple later divorced.

Jerry was elected to the Montana Senate in 1986, and served one term, choosing not to seek re-election. Senator Noble was particularly interested in legislation related to the Montana Department of Environmental Quality.

He is survived by his mother, Madella Noble, sons Chuck and Ken, all of Great Falls, and his daughter, Diane, of Portland. Jerry is also survived by his brother, Ed, and sisters Linda Logan and Cheryl Pinsonneault.

## **J. DONALD OCHSNER**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of J. Donald Ochsner on September 7, 2001, at his home south of Miles City, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Ochsner be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

J. Donald Ochsner started life in Nebraska on October 25, 1919. He attended schools in Stanton County and graduated from Madison (Nebraska) High School. Soon after, he moved to Montana where he worked for his sister and brother-in-law. He attended Montana State College in Bozeman and earned a diesel engineering degree.

On November 19, 1940, in Madison, Nebraska, Don married Fern Barrett.

His ranch was his life. He farmed one year in Nebraska, and worked for a Miles City rancher before being able to have his own spread. He is credited with helping many Miles City ranchers build reservoirs on their farms and ranches.

He loved the land and his animals. Donald was happiest moving dirt with his Caterpillar to build roads and reservoirs, and when riding his favorite horse "Blue" with his cow dog at his side.

In addition to the time he spent on his farm and ranch, Don led an active civic life. He contributed generously of his time, talent, energy, and knowledge to many civic and professional organizations on a local, regional, and state level.

He was past President of the Montana Farm Bureau, a 4-H leader, and State 4-H Council President. He was a longtime member and past President of the Board of Directors of the Rural Fire Association, and at the time of his death, was on the Board of Directors of the Eagles Manor. He served as Trustee and Elder of the First Presbyterian Church. Don was a member of the local Gideons, worked with the Northern Plains Council, and served on a local school board.

From 1981 to 1985, Don represented his Senate District in Montana's Legislature.

In later years, Don enjoyed traveling and spending winters in the South.

In addition to his wife Fern, Don is survived by two sons, Jay and Gary, and two daughters, Janet Steinley and Susan Beausoleil. There are ten grandchildren, including two grandsons currently in the military. A host of great-grandchildren also survive.

## **ROBERT JAMES RASMUSSEN**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Dr. Robert James Rasmussen on April 15, 2001 in Des Moines, Iowa.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Dr. Rasmussen be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Dr. Robert James Rasmussen, Montana statesman, physician, and public servant, was born August 1, 1926 in Clinton, Iowa to Otto and Helen Rasmussen. He attended grade school and high school in Clinton.

Robert was a graduate of Northwestern College of Chiropractic in St. Paul, Minnesota, and later attended LaSalle

University where he was awarded a law degree. Dr. Rasmussen served his country in the Army both in World War II and the Korean War.

Dr. Robert Rasmussen and Rita Ann Schaper were united in marriage November 17, 1951 in Beloit, Wisconsin. To this union were born five children. The Rasmussens lived in Glasgow until 1969 when they moved to Des Moines, Iowa.

Dr. Robert Rasmussen was a devoted and well-rounded public servant both in Montana and Iowa. He was an executive director of the Iowa Chiropractic Society and a director of professional affairs for the American Chiropractic Association.

Robert served in the Montana State Senate, District 5 in 1967, and served as an alderman and three-term mayor of the city of Glasgow. He was an officer in the Valley County Democratic Party and chairman of the City-County Planning Board of Valley County.

Robert had a special interest in the field of agriculture and in the areas of city, county, and state planning. He was particularly interested in all aspects of the healing arts and nursing, properly financed public health care, and public education. He was a member of the Elks and the Knights of Columbus, serving as Grand Knight.

He is survived by his wife, Rita, sons Mark and Stephen, three daughters, Mary, Paula and Ann and six grandchildren.

#### **WINSTON "GLENN" SAUNDERS**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Winston "Glenn" Saunders on July 25, 2002, in Columbus, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Saunders be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Glenn Saunders was born in Richland, Oregon, on April 24, 1916. He had been a Montanan since the age of two, when the family moved to Stillwater County. From that time, with the exception of three years when the family lived near Luther, Glenn spent his life in Stillwater County.

Glenn married Helen Mason on June 13, 1938. They made their home on Countryman Creek and also in Columbus where he farmed and worked as a high lineman and rewired homes. In 1937, he helped map Stillwater County for the ACP program. In 1956, he became the office manager of the county ASCS and represented Montana at many national conventions.

Following his retirement from a career with government agriculture programs, Glenn was elected to the Montana House of Representatives in 1982 and served for one term.

Glenn was an avid outdoorsman. He loved the time he spent hunting, fishing, trapping, and backpacking with his sons and grandsons. He was a master small bore competitor, and was one of the main organizers of the Stillwater Rifle and Pistol Club. He was a life member of the Yellowstone Rifle Club, Montana Rifle and Pistol Association, and the National Rifle Association.

Glenn was an accomplished photographer and writer. He wrote a weekly article for the ASCS in the local paper, articles for the Outdoor Life and American Rifleman, and was pictured on the front page of the Outdoor Life following a goat hunting adventure in the 1950s.

Glenn gave generously of his time and talent to his community and church. He was an active member and past treasurer of the Columbus Congregational Church, the Stillwater Masonic Lodge, and Kiwanis. He served on

boards of Rainbow Girls and DeMolay.

Glenn fought a long and valiant battle with Parkinson's disease. He is survived by Helen, his wife of 64 years, his two sons Ralph and Bruce, his daughter Glenda, his brother, Tom and sister, Cleora Russell, several grandchildren and great grandchildren.

#### **PAUL SLITER**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Paul Sliter on August 15, 2001, in Helena, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Sliter be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Paul Sliter, former House of Representatives Majority Leader and rising Montana statesman, was born in Kalispell, May 5, 1969 to Everit and Nikki Sliter. He graduated from Flathead High School in 1987 and received a bachelor's degree in political science from the University of Montana where he was a student lobbyist and a member of the student senate.

Thus began the extraordinary political life of Paul Sliter, the articulate Montana leader from Somers with a contagious vitality for life and the gift of political wit and savvy.

The Sliter family has been in the lumber and hardware business for more than 60 years, and Paul worked in the family business. Paul and Elaine Johnston were married in 1997. They are the parents of a daughter, Morgan. Paul continued his political career as an intern for Senator Conrad Burns in 1992 and as a lobbyist and intern for the Montana Petroleum Marketers Association in both 1991 and 1993.

Recognized as an outstanding leader with an intuition for public policy and business, he was elected to the House of Representatives in 1994 and re-elected in 1996, 1998 and 2000. Representative Sliter served as House majority whip in 1999 and House majority leader in 2001.

He was a staunch Republican who knew how to rally his team before and during political debates. A leader in every sense of the word, Paul valued communication with both Republican and Democratic colleagues and was respected for his ability to bridge party differences.

Secretary of State Bob Brown remembers Paul Sliter: "You think of Paul, you see him smiling. He was always upbeat. He was always positive. He had this wonderful zest for life, and the grand competition in politics."

His devoted colleague, former House Speaker Dan McGee remembers Paul's complete devotion to his family, his love of the political arena, and his love for Montana.

Paul is survived by his wife, Elaine, and his daughter, Morgan; his parents, Everit and Nikki Sliter; and his brother and sister-in-law Justin and Jennifer Sliter.

#### **BENNETT H. STEIN**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Bennett Harris Stein on December 14, 2001, in Livingston, Montana.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Stein be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Bennett Stein was born November 15, 1915 in Ravinia, Illinois. His father was a very successful lawyer, with a

client list that included the famous entertainers of the time, Amos and Andy. The senior Steins entertained frequently, sometimes hiring Guy Lombardo to provide the music.

After studying English Literature at Dartmouth for a time, Bennett hitchhiked out west, catching a ride on the back of a potato truck. "When he found Montana, it was the right place for him. "No one could have loved a land more than he loved Montana," according to his daughter, Linda Stein. Ben married Hildegard Balke in 1939 and they purchased a small dairy farm near Darby, where they lived for two and a half years, learning from the neighbors how to milk and butcher. They had five children and, in Ben's words, "spent wonderful days together in the ordinary routine of six square miles."

Ben worked as a journalist at the Great Falls Tribune and branched out into cattle ranching in the Shields Valley. Ben and Hildegard divorced in 1966.

In 1967, Ben purchased his place at the foot of the Crazy Mountains, married Glenna Hamilton and lived happily with her until Glenna died during heart surgery in 1978.

Ben continued to live a physically active life. He did some logging, had to snowshoe in part of most winters. He thrived on keeping fit and felt fortunate to ski, canoe, dance and hike the hills until he was past 80 years old. Linda remembers "at eighty, he could tire me out climbing up a mountain".

Ben edited and compiled the book "Tough Trip Through Paradise," the diaries of mountain man Andrew Garcia. It was first printed in 1967, and has been reprinted many times.

For the last six years of his life, he was limited to a sedentary lifestyle in Livingston on his four acres and with a view of the Absarokas. He then indulged himself in his love of reading.

A simple life in the presence of the Montana mountains defined Ben's existence for most of his life. When he was an English Literature major at Dartmouth, he wrote a paper entitled "Wordsworth and a Future Farmer," which his daughter Linda found and read after his death. It encapsulated the spirit with which he lived. Linda relates "In it, my father described his experiences spending months at a time in the wilderness since the age of seven, and working as a hired hand on farms as a young man. Both he, and Wordsworth, believed that an 'inner richness' could be gleaned from a life lived simply, in the presence of nature."

Ben served in the State Senate representing Park County for 14 years, from 1957 to 1971. His legislative service was distinctive in that he served part of it as a Democrat, and part as a Republican. But family and friends say he was always an independent at heart. At the time of Bennett's passing, former legislator and Supreme Court Justice Jean Turnage characterized him as "probably one of the most intelligent people that ever served in the Montana Legislature."

Bennett Harris Stein is survived by his five children, Karen, Linda, David, Leslie, and Peter and two grandchildren.

### **LEONARD E. VAINIO**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Leonard Vainio on April 10, 2001 in Missoula County.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Vainio be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Leonard was born February 3, 1939 in Butte, Montana. From the start of his education at St. John's Elementary in Butte, Leonard excelled in scholastics. He graduated from St. John's Elementary and Boys Central. He was valedictorian for the class of 1957 and was a recipient of several scholastic scholarships. After graduating from Boys Central, Leonard attended Seattle University on a baseball and basketball scholarship. He had the privilege to

play with NBA hall-of-famer, Elgin Baylor.

Leonard attended the University of Washington Dental School for one year. He had excellent gross motor skills but decided his fine motor skills required for caring for teeth were not up to par. Therefore, he elected to attend optometry school. He received his bachelors and his Doctor of Optometry degrees from Pacific University in Forest Grove, Oregon, in 1964.

In 1965, after returning to his hometown of Butte, he acquired the existing optometric practice of Dr. R. C. Haser. He later expanded this practice with satellite offices in Sheridan and Whitehall. With his brother, Dr. David Vainio, Leonard co-founded the American Eye Care Centers. Through this organization, the optometric practice was extended to most major Montana cities and Washington state.

Leonard was active in youth activities in Butte, excelling in baseball and basketball. His baseball career included American Legion, Seattle University, and the Copper League. He was one of Butte's premier shortstops. In the 1960s, he taught a 'baseball school' for Butte youths, training them in the fundamentals of the sport.

Leonard's basketball achievements were highlighted by membership on the 1956 Butte Central "Big 32" state championship team. With the championship game falling on St. Patrick's Day, the team appeared on the floor in green uniforms, to the delight of the crowd. This 1956 champion team was inducted into the Butte Sports Hall of Fame.

Leonard followed his father's political aspirations and was elected as a Montana State Senator from Silver Bow County in 1970 and served its citizens during the 56<sup>th</sup> Legislative session. He was instrumental in securing funding for construction of the existing mining/geology building and library at Montana Tech and legislation for osteopathic physicians to hold the same status as medical doctors.

Leonard is survived by his sister Patsy, and brothers David, and Kevin, along with many nieces and nephews. All who knew him surely miss his exuberant spirit and personality.

#### **REINO JOHN "RAY" WAYRYNEN**

**WHEREAS**, it is with deep and sincere sorrow that the members of the Fifty-eighth Legislative Assembly of the State of Montana record the passing of Reino John Wayrynen on January 23, 2003 in Surprise, Arizona.

**WHEREAS**, it is fitting and proper that the record and accomplishments of the late Mr. Wayrynen be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Ray Wayrynen, former Montana House of Representatives Speaker and minority leader, was born September 24, 1922 in Hancock, Michigan.

He moved to Butte as a child, attended Grant School, and graduated from Butte High School in 1941. Ray enlisted in the Navy Seabees during World War II, and served in the South Pacific. After returning home, he attended Worsham College in Chicago, graduating as an embalmer and funeral director.

Ray and Nielsine Lowney began their life together in 1942 and to this union their daughter, Linda, was born.

Ray's political career began in 1957 when he was elected to the Montana House of Representatives, representing Silver Bow County until 1970. He served as House minority leader in 1963 and House speaker in 1965.

In 1971, Governor Forrest Anderson appointed him to the State Board of Equalization which later became the State Tax Appeals Board. He served as chairman of this board until his retirement in 1976. A highlight of Ray's political career was personally meeting Presidents John F. Kennedy and Lyndon B. Johnson.

While residing in Butte, Ray worked for White's Funeral Home, and Sherman and Reed Mortuary, which he later purchased. He and Nielsine built Wayrynen Funeral Home on Florence Avenue.

Ray belonged to several fraternal organizations, and serviced as the Worthy Patron of Butte Chapter No. 39, Order of the Eastern Star, Potentate of Bagdad Temple of the Shrine, and Secretary of Butte Court, Royal Order of Jesters. He was Secretary of Local Council No. 106 and Grand Secretary of Montana, Idaho, and Utah United Commercial Travelers.

Ray is survived by his wife Nielsine, daughter Linda, his grandchildren, and one great grandchild.

#### **ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Tuesday, April 8, 2003. Motion carried.

House adjourned at 3:04 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House